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M. TULLI CICERONIS

PRO

A. LICINIO ARCHIA POETA ORATIO

AD IUDICES.

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M. TULLI CICERONIS

PRO

A. LICINIO ARCHIA POETA ORATIO

AD IUDICES.

EDITED BY

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PREFACE.

TEACHERS in Germany and in England have recently much discussed the question how ancient authors ought to be edited for the use of Junior Students. Through most of the discussions there runs the fallacy that it is possible to lay down one ideal mode of editing. The same fallacy underlies a good deal of the criticism which editions of the Classics receive in English reviews. In my opinion there are many different styles of editing which are severally indispensable if young students are to be fairly started on the road to fine and high scholarship. In the notes to this edition of the *Pro Archia* the special purpose I have kept in view is the training of the student's eye to detect not only the more obvious but the slighter and finer matters of scholarship. The selection of points for comment by editors of Classical texts naturally depends a good deal on individual taste; what one scholar thinks important another will not notice. I trust that at least a brief note has been given in the present edition to every point in language and subject-matter which any practised scholar would be likely to deem worthy of remark. Particular pains have been taken to point out the special characteristics of Cicero's Latinity and such distinctive differences between Latin and English modes of expression as can be appropriately illustrated from this speech.

Most difficulties connected with the subject-matter have been treated in the Introduction, which is fuller

than in preceding editions, and fuller than some scholars would think necessary. I have thought it best to treat the speech as illustrating certain phases of Roman life which are more important than the particular case with which it deals.

In an appendix I have given briefly the reasons for and against different readings, and have also dealt with questions of orthography. It has always seemed to me that, if rightly handled, textual criticism, which is scarcely ever touched upon by ordinary School and College students, may be made a useful instrument of education. Another appendix is devoted to certain questions of language affecting the authenticity of the speech.

I purposely worked out the first rough draft of my edition before consulting preceding editions. The only editor to whom I am much indebted is Stuerenburg, who had a very great knowledge of Cicero's Latin, though his judgment was not always sound. Here and there I have gleaned good hints from the editions of Benecke, Halm, and Richter.

Few references to modern books have been given, as I desired to make the notes self-explaining as much as possible.

CHRIST'S COLLEGE, CAMBRIDGE,
October, 1877.

The present edition has been carefully corrected and some additions have been made to the notes.

GONVILLE AND CAIUS COLLEGE, CAMBRIDGE.
October, 1883.

INTRODUCTION.

§ 1. *The defendant Archias.*

CICERO'S client Archias was a Greek, born about the year 119 B.C.[1], at Antioch, the chief city of Syria. His family held high rank, and in the schools of Antioch, which was at that time a home of learning and culture, he received a liberal education[2]. In those days, both in Greek and in Roman communities, the study of poetry formed the most important part of education. Like Pope, Archias seems when a child to have "lisped in numbers," and his natural cleverness was so cultivated that before he had arrived at manhood his fame as a poet was widely known beyond the bounds of his native city. He was especially skilful as an improvisatore[3], and ranked with the famous Antipater of Sidon[4], who, as Cicero tells us, could pour forth verses in any metre on any subject at a moment's notice[5]. The written poems of Archias were thought by his contemporaries worthy to be placed side by side with the works of the old Greek Classic poets[6]. Some poor epigrams in the Greek Anthology[7] are

[1] See n. on § 5 *praetextatus*.
[2] § 4.
[3] § 18.
[4] Quintilian, X. 7. 19.
[5] Cic. De Or. III. 194. (Some of Antipater's epigrams are in the Greek Anthology.) Cf. Pro Arch. § 18.
[6] § 18.
[7] Four epigrams are ascribed to an Ἀρχίας Μιτυλήναιος, two to an Ἀρχίας νεώτερος, one to an Ἀ. Βυζάντιος, twenty five (five doubtfully) to an Archias who is not defined. These last poems, which are probably not all the work of one hand, contain about a hundred and fifty lines. Cic. speaks of an epigram by Archias De Div. I. § 79.

attributed to an Archias who may have been our Archias, but the name (of Doric origin) was so common among the Greeks that we cannot feel certain. No fragments of the longer poems we know Archias to have written have come down to our time.

About the year 103 B.C., Archias, still only a boy, left home for a long course of travel. The political troubles that disturbed his native land had no doubt clouded the prospects of men of genius[1]. He first visited the cities of Western Asia, then traversed Greece, passed over to the Greek towns of Southern Italy, and finally reached Rome in 102 B.C. If Cicero is to be believed, the journey of Archias was throughout a sort of triumphal progress: his visits were expected everywhere with the utmost eagerness, and welcomed with the greatest enthusiasm. If his talents had been admired in Greece proper, it was natural that they should be still more highly valued in the cities of Magna Graecia, which had a strong Italian element in their population, and were therefore both by nature and by habit fond of improvisation[2]. The intellectual activity also of the Graeco-Italian cities (which forty years later had died away[3]) made foreign men of letters sure of a warm reception there. The citizens of Tarentum, Regium, Neapolis, and possibly Locri[4], presented Archias with the freedom of their respective cities, and paid him other public honours. His fame went before him to Rome, which he reached at an opportune time. The domestic peace of Rome and Latium had been long unbroken, and art and science flourished vigorously, more vigorously than at the time when this speech of Cicero was delivered, after forty years of almost constant political troubles. The great impulse given to Greek culture by the circle of litterati of which the house of the Scipios formed the centre, had not yet died away[5]. The patronage of learning and genius, and especially of Greek learning and genius, was a fashion of the day with the aristocratic

[1] See n. on § 4 *quondam*.
[2] From the Italian talent for improvisation sprang the only indigenous Italian literature, the *versus Fescennini*, the *Saturae*, the *Mimi*, and the *fabulae Atellanae*.
[3] See n. on *tum* § 5.
[4] Cf. § 5 with § 10.
[5] On the Scipionic circle see Mommsen, Hist. of Rome, Bk. IV. c. 13.

families of Rome. Many Greek poets, rhetoricians, and philosophers found homes in the noblest houses. Archias soon lived on terms of friendship with the foremost men of the time[1]. He was the guest of Catulus, the consul of 102 B.C., and composed a poem in honour of the great successes achieved by Marius and his colleague against the Teutones and Cimbri. But his most attached patrons were the Luculli, with whom he maintained a life-long intimacy. The head of the house, L. Licinius Lucullus, was absent during the year 102 B.C., governing Sicily as propraetor. Lucius, his son, the conqueror of Mithridates, loved during his whole life the society of learned Greeks, some of whom were always to be found among his suite even on his numerous campaigns[2]. Sulla paid Lucius the compliment of appointing him his literary executor. Marcus, the brother of Lucius, was also a man of culture; he became the adopted son of M. Terentius Varro, the greatest scholar of the age.

Sorrow soon fell on the Luculli. The father was guilty of disgraceful conduct during his administration of Sicily, and on his return was prosecuted and righteously condemned[3]. His case was so bad that his own brother-in-law, the well-known Q. Metellus Numidicus, refused to appear as a witness in his favour. Yet Roman notions of filial duty (*pietas*) required his sons to do all in their power to inflict injury on their father's enemy. They gained great renown[4] by the vigour of their plans for revenge. A prosecution was instituted against the man who had prosecuted L. Lucullus the elder, and it was probably to collect evidence that M. Lucullus undertook a journey to Sicily, on which Archias accompanied him, some time after his arrival at Rome[5]. On their return from Sicily they stayed at Heraclia, a Greek town on the gulf of Tarentum, where probably L. Lucullus the elder lived in exile. It was the custom for the cities of

[1] § 6.
[2] See my Introduction to Cicero's Academica p. LVIII and cf. In Verr. IV. 49.
[3] See Dict. Biog. art. *Lucullus*.
[4] *magna cum gloria* Cic. Academica II. 1.
[5] § 6 *satis longo intervallo*. Richter (introd. to his edition) wrongly concludes from the words *ex provincia decederet* (§ 6) that the mission of Lucullus was official. See n. on the passage.

the Roman empire to get leading statesmen to act as their recognised patrons and champions in the capital. Very likely there was some such connexion between the family of the Luculli and the town of Heraclia, and it was partly with the intention of doing honour to their patrons that the burgesses enrolled Archias among their number[1]. Although Archias already possessed the freedom of several Graeco-Italian cities, some of them more famous than Heraclia, he described himself henceforward as a citizen of Heraclia, in order to mark his affection for the Luculli[2].

Although living in close friendship with some of the noblest Romans, Archias was still politically an alien at the capital. Rome shewed during nearly her whole history a surprising readiness to confer the franchise on whole communities, but it was almost as difficult at Rome as it was at Athens in the days of her greatness, for individual foreigners to become full citizens. The Italian war however resulted (roughly speaking) in the enfranchisement of all Italians. In the year 90 B.C., while the war was still going on, L. Iulius Caesar (father of the dictator Caesar) carried a law which enfranchised all corporate communities in Italy, excepting those which had joined in the rebellion, provided that the communities themselves formally consented to be incorporated with the body of Roman burgesses[3]. Archias might have obtained the citizenship under this law. He was on the burgess-roll of Neapolis, Heraclia, Tarentum, Regium, and probably Locri Epizephyrii. Neapolis and Heraclia were at first disinclined to accept the position offered them by Caesar's law, because the conditions of the treaties which bound them to Rome were exceptionally favourable[4]. But we know definitely that Neapolis accepted the Julian law[5], as in all probability did the other four cities named above. However, in the following year, 89 B.C., a law passed by the tribunes, M. Plautius Silvanus and C. Papirius Carbo (called after its authors the *lex*

[1] n. on § 6 and on § 8 *egisse.*

[2] *semper se Heracliensem esse voluit* (§ 10).

[3] Cic. Pro Balbo § 21.

[4] See n. on § 6 *aequissimo iure ac foeaere.*

[5] See Cic. Ad Fam. XIII. 30. The other four towns were *municipia* at the time of this speech: § 10.

Plautia Papiria), gave the citizenship to all ***individuals*** who could prove, (1) that their names were on the burgess-roll of some city in Italy[1], whose relations with Rome were regulated by a formal treaty (***foedus, civitas foederata***), (2) that they had a settled habitation (***domicilium***) in Italy, (3) that within sixty days after the passing of the law they had inscribed their names on the books of one of the praetors for the year[2]. Archias claimed the citizenship under this law, possibly because his title could thus be most clearly established, possibly also because the Julian law had not been yet adopted by the Graeco-Italian cities to which he belonged. He appeared before his intimate friend Q. Metellus Pius[3], one of the praetors of the year 89 B.C., who allowed his claim, on the grounds of his being a citizen of Heraclia, and having a settled habitation at Rome. Archias now took the full name of Aulus Licinius Archias. The name Licinius was the name of the ***gens*** of which the Luculli formed part, and Archias adopted it just as Roman slaves on being freed adopted the gentile names of their old masters and new patrons. Why he took the ***praenomen*** Aulus it is difficult to say. If he had followed the usual custom, he would have assumed a ***praenomen*** commonly used by the Luculli. But the name Aulus never occurs as one of the names of a Lucullus. This fact renders improbable the suggestion of some scholars, that the brother of Lucius Lucullus was originally called Aulus, and not Marcus, which name he is supposed to have taken on his adoption by M. Terentius Varro[4].

Archias then was at Rome in 89 B.C. In the years 86 and 70 B.C., we know him to have been absent with L. Lucullus on his campaigns[5]. It is probable that he was attached to the

[1] The restriction to Italy is nowhere stated, but must be assumed.

[2] § 7.

[3] §§ 7 and 26.

[4] His full name was Marcus Terentius Varro Licinianus. Cic. in the numerous passages where he names him calls him nothing but M. Lucullus; Plutarch also nothing but Λεύκουλλος, or Λεύκουλλος ὁ Μάρκος. It is curious that another enfranchised Greek whom Cicero mentions bears the name *Aulus* Licinius Aristoteles Melitensis. See Cic. Ad Fam. XIII. 52. Halm's suggestion (n. on § 1) that Archias took the name A. from the Murena family, a branch of the Licinian gens, is extremely unlikely. [In Verr. 1, 60 M. Terentius.]

[5] § 11.

person of L. Lucullus from the year 88 B.C., when that general first went to the East, to the time when he died (about 59 B.C.). Archias appears to have been alive in the year 44 B.C., when he must have been quite an old man[1]. This is the last we hear of him.

§ 2. *Cicero's connexion with Archias.*

Cicero tells us that he could not recollect a time when he had not known Archias, who had encouraged his boyish love of learning and eloquence. The poet can scarcely have given regular instruction to the young orator, but merely advice[2]. From 102 to 88 B.C., Archias had lived in the midst of the circle of *Optimates* with whom Cicero was familiar, but it is not likely that in later years the friendship between the two was very close. L. Lucullus was only at Rome for three years between 88 and 66 B.C., in 79 when he was aedile, in 78 when he was praetor, and in 74 when he was consul. Between him and Cicero there was never a cordial intimacy; their intercourse was always cool, distant, and polite, arising from political agreement rather than from personal liking. Just before this speech was spoken (62 B.C.), Archias had begun a poem upon what Cicero regarded as the noblest possible theme, the suppression of the Catilinarian conspiracy[3]. Doubtless, as we shall see presently, the reasons which determined Cicero to defend Archias were chiefly political, but he was of course glad also to place the poet in his debt, and so hasten the completion of the poem. We learn, however, that Cicero had reason to be dissatisfied with the slowness of Archias in fulfilling his promise. Archias spent his time in finishing a poem on the achievements of Lucullus in the East[4]; he then purposed writing in honour of his warm friends, the Metelli. So at the end of a year after the speech, the poem on Cicero's consulship made no progress. Cicero had himself written a Latin poem on the same subject;

[1] Cic. De Div. I § 79.
[2] *praecepta* § 1.
[3] § 28.
[4] Cf. § 21 with Cic. Ad Att. I. 16, 15.

he now turned this into Greek and sent it to Archias, who Cicero asserted, was deterred from writing by his envious admiration of its style[1]. Whether the poem of Archias was ever finished or not, we do not know, but in 44 B.C., Cicero mentions him in terms of affection[2].

§ 3. *The circumstances and merits of the case.*

For twenty-seven years after the passing of the *Lex Plautia Papiria* (*i. e.* from 89 to 62 B.C.), Archias enjoyed the privileges of a Roman citizen without molestation. He made his own will and testament in accordance with the forms of the Roman Law, in the full expectation that the Roman courts would recognise its validity. As a rule, only full Roman citizens could inherit the property of Roman citizens[3], and Archias had taken possession without dispute of legacies left to him by Romans. L. Lucullus also had officially recognised him as a Roman citizen, by recommending him to the treasury more than once as deserving a reward for services done to Rome in the East[4].

There can be little doubt that the prosecution of Archias arose out of the political animosities of the time, and was really directed against L. Lucullus. A jealousy had for many years existed between the two greatest generals of the age L. Lucullus and Cn. Pompeius. It had begun in the contest the two had carried on for Sulla's favour[5], and had been embittered by the brilliant career of L. Lucullus in the East. When the latter returned to Rome, a large party in the Senate looked to him to deliver them from the tyranny of their professed champion Pompeius. The partisans of the two waged bitter war, and although Lucullus himself meddled little with politics, the fear of his opposition had much effect in driving Pompeius into the arms of Caesar and Crassus. For three years a series of

[1] Ad Att. I. 20, 6.
[2] De Div. I. § 79 *noster Archias.*
[3] There were exceptions: see e. g. Pro Caecina § 102. Observe that Archias is not described as having voted at an election. As he had not been subjected to the census, he was not a member of any tribe.
[4] § 11.
[5] Plutarch, Luc. c. 4.

petty intrigues prevented Lucullus from celebrating a triumph which no one in the whole history of Rome had more honestly earned than he. At the last his triumph was only voted by the *Comitia Tributa* owing to a strong personal canvass carried on among the tribes by the most eminent senators[1].

Lucullus triumphed in the beginning of 63 B.C.[2] The prosecution of Archias was a small skirmish arising out of the battle about the triumph. A favourite mode of annoying a prominent man at Rome was to enter vexatious prosecutions against his friends. Political animosities were fought out in the courts as much as in the Senate or *Comitia*. Many associations (*sodalitates*, *factiones*) with organised bodies of spies (*indices*), and informers (*delatores*), existed, which had more or less connexion with the various political parties, and made a business of prosecutions, for the sake of the legitimate and illegitimate gains they brought[3]. Record of only two cases strictly resembling the case of Archias has been preserved. In both of these political motives prompted the prosecution. One is the case of L. Cornelius Balbus, whom Cicero also defended, where the prosecutor wished to harass Pompeius. In the other the defendant was a freedman of the notorious Gabinius, who was himself being tried in another court on the same day, and was acquitted. The jury who were trying the freedman, vexed at hearing of the acquittal, at once condemned the man for the sins of his master[4].

As a weapon of attack against Archias, the enemies of Lucullus used the *Lex Papia*. It was a sort of Alien Act, expelling all foreigners from Rome, one man being excepted by name[5]. Such ξενηλάσιαι were exceptional at Rome, where foreigners were as a rule far more liberally treated than in the states

[1] Plut. Luc. 37.
[2] Cic. Academica II. § 3.
[3] Cf. Cic. Pro Sulla § 70, Pro Murena § 49, Pro Sestio § 95, Zumpt Criminal-Process d. Röm. Rep. p. 65.
[4] Cf. Zumpt as above, p. 243.
[5] That it was an act for the general expulsion of foreigners and not merely of those foreigners who passed themselves off for citizens, follows from Cic. De Leg. Agr. I. § 13. Cf. also De Off. III. § 47, Pro Balbo § 52. It is difficult to see how such a law can have been even temporarily carried into effect. Dio Cassius, XXXVII. c. 9, limits the law to foreigners born outside Italy.

of Greece during the period of their political freedom. The Senate, as chief executive authority, occasionally for reasons of state directed the magistrates to expel from Rome certain classes of foreign residents. In this way the Greek philosophers and rhetoricians were ejected in 161 B.C.[1] But the only *statute* passed before the *Lex Papia* which had the same purport, was one carried by a tribune, M. Iunius Pennus, in 126 B.C., which forbade aliens to settle in Rome[2]. Both measures were prompted rather by passing considerations of political expediency than by actual hatred of aliens. Pennus wished to clear Rome of the Italians who flocked there in the hope of benefiting by the policy of the party led by the Gracchi[3]. So Papius desired to remove from the capital the foreign portion of the rabble which held possession of the streets and the forum under the leadership of Catiline and his friends, and was fast making orderly government impossible. The law of Papius was really one result of a great movement against electoral corruption, which produced the numerous laws against *ambitus* that were passed towards the close of the Republican period.

The prosecutor was one Gratius, a man entirely unknown excepting from Cicero's speech. The work of prosecution was considered at Rome too invidious for men of distinction[4]. The defendant evidently did not take the case seriously. L. Lucullus and his other powerful friends might have procured for him the services of all the most eminent counsel. In the similar case of Balbus, Cicero, Pompeius and Crassus all appeared for the defence. In this case Cicero alone was retained. His acceptance of the brief was intended as a public indication of his adhesion to

[1] Sometimes provincial towns complained to the Senate that they were being depopulated by migrations to Rome, and the Senate ordered the magistrates to see that the emigrants returned to their place of birth. See Livy XXXIX. 3. The case mentioned Pro Balbo § 52 is similar.
[2] The law of Scaevola and Crassus, mentioned by Cic. De Off. III. § 47, only affected aliens who had wrongfully got their names placed on the burgess-roll. The same was the case with the *Lex Claudia* of 177 B.C. Livy XLI. 8, 9; cf. XLII. 10.
[3] Cic. Brutus, § 109, cf. De Off. III. § 47.
[4] Cf. Cic. De Off. II. §§ 49, 50. Quintilian XII. c. 7, §§ 3, 4.

the party of L. Lucullus in the Senate, and his dissent from the partisans of Pompeius. The last-named section was naturally distasteful to Cicero, because while it professed to be conservative and aristocratic, it actually used the weapons of demagogism and mob-rule. The old aristocratic party, attached to orderly and constitutional government, was now chiefly represented in the Senate by the friends of Lucullus. But, in addition to his natural predilection for the party of Lucullus, Cicero had private and personal reasons for shewing his attachment to it by defending Archias. Since Cicero had laid down his consulship, he had been bitterly attacked by men who professed to be friends of Pompeius and had been countenanced by him, for the measures taken to suppress the Catilinarians. They had tried to establish Pompeius as a dictator for the purpose of punishing Cicero and the Senate, and the attempt had only been crushed by extreme measures on the part of the Senate. Pompeius himself had treated Cicero very coldly during the troubles of the year 63 B.C.

The arguments in the case of Archias require but little examination. The grounds on which Gratius attacked Archias were two: first and chiefly, because he could not bring complete documentary evidence to prove his original admission to the citizenship; secondly, because he had never been enrolled as a citizen on the census-register. Gratius does not seem to have denied that Archias had fulfilled two of the three conditions required by the *Lex Plautia Papiria*[1]; he had a settled habitation at Rome; he had given in his name to the praetor within sixty days after the passing of the law, and his name was still to be seen, free from erasure, on the books of Metellus[2]. But the town archives of Heraclia had perished by fire in the Social war, so Gratius contended that the admission of Archias as citizen of Heraclia, on which he based his claim to the Roman franchise, could not be proved. This charge was easily refuted by the testimony both of the corporation of Heraclia and of M. Lucullus, who had actually witnessed and taken part in the formalities. The other objection of Gratius, referring to the census,

[1] See above, p. 9.

[2] § 9.

is one which I venture to think none of the editors of the speech have thoroughly understood[1]. He cannot have meant to contend that no man could act as a citizen whose name was not on the census-roll. Such a contention would have been absurd, for, if valid, it would have disfranchised large numbers of Roman citizens for no fault of their own[2]. What Gratius urged was probably this: "There are two ways, and only two, by which Archias could have arrived at the Roman franchise through the franchise of Heraclia. Either as an individual he gained his citizenship under the *Lex Plautia Papiria*, or he must have passed into the Roman burgess-body in company with the general body of the burgesses of Heraclia, which has now ceased to be a *civitas foederata*, and has become a *municipium* under the *Lex Iulia*[3]. But I have shewn he cannot prove that he satisfied the first of the three conditions of the *Lex Plautia Papiria*. If he were enfranchised under the *Lex Iulia*, his name must be found on the census-roll, for when the franchise is conferred on a whole town, it is customary for the censors with much formality to incorporate the whole body of its burgesses with the burgess-body of Rome. Now the name of Archias is not to be found on the lists of the censors." Cicero's reply is complete. P. Licinius Crassus and L. Iulius Caesar, the censors of 89 B.C., had proposed to distribute the persons enfranchised by the *Lex Iulia* among eight of the old tribes, but they resigned without even beginning their work. The distribution was carried out by L. Marcius Philippus and M. Perperna in 86, but at that time Archias was in the East with L. Lucullus. The next census was taken in 70 B.C. by L. Gellius Publicola, and Cn. Lentulus Clodianus. Lucullus and Archias were again in the East[4]. Cicero does not think it worth while to mention that there were censors in 65 and again in 64, because in both years they resigned without carrying out the census.

Altogether the case against Archias was weak and vexatious.

[1] § 10.

[2] In the early times of the Republic when the census was regularly taken, such a contention might have been good. But between 86 and 61 B.C. the census was only taken once, i.e. in 70.

[3] Above, p. 8.

[4] § 8.

Had the prosecutor gained his case, he would have done Archias little harm, for there were many means open to him by which he could re-establish his citizenship. Gratius apparently did not press for a distinct penalty on the ground of any overt acts committed by Archias in the character of a citizen; what he desired was such a declaration from the court as would exile the defendant from Rome, and ensure a separation, which could only be temporary, between Lucullus and a life-long friend.

As we do not know the exact provisions of the Papian law, we cannot be certain how the court before which Archias was tried was constituted. If the law did not establish a special court for trying aliens, the case must have been brought before one of the standing criminal courts or commissions which in their final form were established by Sulla[1]. The most likely one to have been used is that which tried offences *de maiestate*, a very indefinite phrase covering all shades of treason, sedition, and opposition to the established order of government. A scholiast has preserved the fact that the presiding judge was Q. Cicero, the brother of Marcus. The facts alleged by scholiasts are often the guesses of men in no better position for guessing than modern scholars; but in this instance we may fairly trust the tradition, for it agrees well with the hints contained in the speech[2]. Q. Cicero was himself a poet and an admirer of Greek learning, and therefore likely to pardon his brother's discursive eulogies of literature.

The number of the jury was no doubt fixed by the Papian law. The members would naturally be chosen by lot from among the *selecti iudices*, who at this time, under the law of Cotta (B.C. 70), were drawn from the Senate, *equites*, and *tribuni aerarii*.

The date of the speech[3] is fixed by the year of Q. Cicero's

[1] Mommsen, Hist. of Rome, Book IV. c. 10. The *Lex Claudia* of 177 and the *Lex Licinia Mucia* of 95 B.C. established temporary courts. But their purpose was somewhat different from that of the *Lex Papia*. See above p. 17 n. 2.

[2] §§ 3, 32.

[3] The date commonly given (e.g. in Dict. Biog. art. *Cicero*, Forsyth's Life of Cicero) is 61. But in that year Q. Cicero was governing Asia.

praetorship, which we know to have been 62 B.C. The speech itself shews that the consulship of M. Cicero was over[1], and if the censors of the year 61 had been appointed, they would probably have been mentioned. The eulogy on L. Lucullus[2], which seems intentionally to avoid all allusion to the career of Pompeius in the East, gains point by being referred to the year 62 rather than to 61. In the latter year Cicero was striving to effect a reconciliation with Pompeius[3].

There can be no doubt that the case ended in an acquittal of Archias. About a year after Cicero spoke of him as resident at Rome[4].

§ 4. *Merits and genuineness of the speech.*

The first thing that strikes a modern reader is, that the greater part of the speech has little to do with the legal point in dispute[5]. Certainly no English Court would listen to a great deal that Cicero says[6]; but it must not be forgotten that a Roman pleader was bound to urge every thing, whether strictly to the point or not, which could possibly influence the court in favour of his client. The only measure of relevancy was the patience of the jury, and in this respect the jury was not controlled as a modern jury is by the presiding judge. Cicero's attractive description of the character of a literary man was, according to Roman ideas, quite in place. It shewed what services literary men could render, and what Archias had rendered to the Roman State, and what a loss the community would sustain if literature in general were discouraged, and Archias in particular were removed. One end was thus gained which Roman orators continually kept in view. The matter at issue was made to appear as though it were not private and personal, but one affecting the interests of the country at large.

[1] § 28.

[2] § 21.

[3] All the letters written to Atticus during the year shew this.

[4] Ad Att. I. 20.

[5] § 12—end.

[6] "Cicero's speech for Archias, which is exquisitely composed, but of which not more than one-sixth is to the purpose, could not have been delivered in a British court of Justice."—Lord Brougham in "Eloquence of the Ancients."

The patriotism of a Roman jury was the most powerful influence an orator could arouse in favour of his client, and in Cicero the great majority of the apparently irrelevant digressions are due to this cause[1].

But there is another consideration which must not be overlooked. We have not before us the speech as Cicero spoke it, but only a version of it revised and corrected for publication in later years. It was our orator's practice in the less important cases, before delivering a speech, to elaborate with great care the exordium and the peroration, which were almost committed to memory, while for the facts and arguments he trusted to rough notes, to be filled out by extempore speaking. In editing his speeches for publication he left out much of the direct argument as of no permanent interest, while he elaborated and expanded his treatment of the more general topics. The case of Archias was in some respects exceptional. The facts were clear and simple, and gave little scope for subtle argument or rhetorical display. If the speech was to be of any interest to posterity, it could only be by the excellence of Cicero's handling of the extraneous matter.

Lord Brougham has said in a passage already quoted, that the speech is "exquisitely composed." Not a few scholars in Germany have held a different opinion. It has been alleged that the language is turgid and declamatory, and it has been concluded that the speech is therefore not from the hand of Cicero. But there is no speech of Cicero which does not exhibit passages that to a modern taste seem excessively rhetorical. If there is more rhetoric in this speech than in most others of Cicero, we have already seen reasons which make this natural. But after all, much that seems to us mere declamation appeared to the ancients tasteful eloquence. The most turgid

[1] The absence of such digressions in the Attic orators is due mainly to the comparative weakness and narrowness of the patriotic feeling at Athens. This is a point which Prof. Jebb misses when he says (Attic Orators I. ciii.): "No Greek orator could have written such a speech as that of Cicero for Archias...... In a Greek speech the main lines of the speech are ever firm: they are never lost amid the flowers of a picturesque luxuriance." But no digression in Cicero is mere "picturesque luxuriance."

passage in this speech has been quoted no fewer than six times by Quintilian, and often with expressions of approval[1].

Another ground on which scholars have attacked the authenticity of the speech is, that it contains a few *ἅπαξ εἰρημένα*, and words which do not elsewhere occur in Cicero. The force of such criticisms I shall examine elsewhere[2]. I will only say here, that any one who has examined long and minutely Cicero's syntax, his collocations of words, his balancing of clauses, and his characteristic changes of expression, will refuse to believe that any mere imitator, were it Erasmus himself, could have produced any thing so Ciceronian as the speech *Pro Archia*. I myself have never seen a piece of writing of any length by a modern scholar, professing to be Ciceronian, whose language would not betray its origin. There are few of the best Latinists at Oxford and Cambridge who could be trusted to write a page of faultlessly Ciceronian Latin; I doubt if there is one who could compose a piece so long as the *Pro Archia* without passing over some convicting flaws. What is nearly impossible for the best of modern Latinists, must have been quite impossible for a Roman of the first century of the Empire.

[1] n. on § 19.

[2] See Appendix A p. 71.

M. TULLI CICERONIS

PRO

A. LICINIO ARCHIA POETA

ORATIO AD IUDICES.

I. Si quid est in me ingeni, iudices, quod sentio quam 1
sit exiguom, aut si quae exercitatio dicendi, in qua me non infitior mediocriter esse versatum, aut si huiusce rei ratio aliqua ab optimarum artium studiis ac disciplina profecta, a qua ego nullum confiteor aetatis meae tempus abhorruisse, earum rerum omnium vel in primis hic A. Licinius fructum a me repetere prope suo iure debet. Nam quoad longissime potest mens mea respicere spatium praeteriti temporis et pueritiae memoriam recordari ultimam, inde usque repetens hunc video mihi principem et ad suscipiendam et ad ingrediendam rationem horum studiorum exstitisse. Quod si haec vox huius hortatu praeceptisque conformata non nullis aliquando saluti fuit, a quo id accepimus quo ceteris opitulari et alios servare possumus, huic profecto ipsi, quantum est situm in nobis, et opem
et salutem ferre debemus. Ac ne quis a nobis hoc ita 2
dici forte miretur, quod alia quaedam in hoc facultas sit ingeni neque haec dicendi ratio aut disciplina, ne nos quidem huic uni studio penitus umquam dediti fuimus. Etenim omnes artes quae ad humanitatem pertinent, habent quoddam commune vinculum et quasi cognatione quadam

3 inter se continentur. II. Sed ne cui vestrum mirum esse videatur, me in quaestione legitima et in iudicio publico, cum res agatur apud praetorem populi Romani, rectissimum virum, et apud severissimos iudices, tanto conventu hominum ac frequentia hoc uti genere dicendi, quod non modo a consuetudine iudiciorum, verum etiam a forensi sermone abhorreat, quaeso a vobis ut in hac caussa mihi detis hanc veniam, accommodatam huic reo, vobis, quem ad modum spero, non molestam, ut me pro summo poeta atque eruditissimo homine dicentem, hoc concursu hominum litteratissimorum, hac vestra humanitate, hoc denique praetore exercente iudicium, patiamini de studiis humanitatis ac litterarum paulo loqui liberius et in eius modi persona, quae propter otium ac studium minime in iudiciis periculisque tractata est, uti prope novo quodam et inusitato genere dicendi. 4 Quod si mihi a vobis tribui concedique sentiam, perficiam profecto ut hunc A. Licinium non modo non segregandum, cum sit civis, a numero civium, verum etiam, si non esset, putetis adsciscendum fuisse.

III. Nam ut primum ex pueris excessit Archias atque ab eis artibus, quibus aetas puerilis ad humanitatem informari solet, se ad scribendi studium contulit, primum Antiochiae, nam ibi natus est loco nobili, celebri quondam urbe et copiosa atque eruditissimis hominibus liberalissimisque studiis affluenti, celeriter antecellere omnibus ingeni gloria condidicit. Post in ceteris Asiae partibus cunctaque Graecia sic eius adventus celebrabantur, ut famam ingeni exspectatio hominis, exspectationem ipsius adventus admiratioque superaret. 5 Erat Italia tum plena Graecarum artium ac disciplinarum, studiaque haec et in Latio vehementius tum colebantur quam nunc eisdem in oppidis, et hic Romae propter tranquillitatem rei publicae non neglegebantur. Itaque hunc et Tarentini et Regini et Neapo-

litani civitate ceterisque praemiis donarunt, et omnes, qui aliquid de ingeniis poterant iudicare, cognitione atque hospitio dignum existimarunt. Hac tanta celebritate famae cum esset iam absentibus notus, Romam venit Mario consule et Catulo. Nactus est primum consules eos, quorum alter res ad scribendum maxumas, alter cum res gestas, tum etiam studium atque auris adhibere posset. Statim Luculli, cum praetextatus etiam tum Archias esset, eum domum suam receperunt. Sed etiam hoc non solum ingeni ac litterarum, verum etiam naturae atque virtutis est, domum, quae huius adulescentiae prima affuit, eandem esse familiarissimam senectuti. 6 Erat temporibus illis iucundus Q. Metello illi Numidico et eius Pio filio, audiebatur a M. Aemilio, vivebat cum Q. Catulo et patre et filio, a L. Crasso colebatur: Lucullos vero et Drusum et Octavios et Catonem et totam Hortensiorum domum devinctam consuetudine cum teneret, afficiebatur summo honore, quod eum non solum colebant, qui aliquid percipere atque audire studebant, verum etiam si qui forte simulabant.

IV. Interim satis longo intervallo, cum esset cum M. Lucullo in Siciliam profectus et cum ex ea provincia cum eodem Lucullo decederet, venit Heracliam. Quae cum esset civitas aequissimo iure ac foedere, adscribi se in eam civitatem voluit idque, cum ipse per se dignus putaretur, tum auctoritate et gratia Luculli ab Heracliensibus impetravit. 7 Data est civitas Silvani lege et Carbonis, si qui foederatis civitatibus adscripti fuissent, si tum, cum lex ferebatur, in Italia domicilium habuissent et si sexaginta diebus apud praetorem essent professi. Cum hic domicilium Romae multos iam annos haberet, professus est apud praetorem Q. Metellum, familiarissimum suum. 8 Si nihil aliud nisi de civitate ac lege dicimus, nihil dico amplius; caussa dicta est. Quid enim horum infirmari, Grati,

potest? Heracliaene esse tu eum adscriptum negabis? Adest vir summa auctoritate et religione et fide, M. Lucullus, qui se non opinari sed scire, non audivisse sed vidisse, non interfuisse sed egisse dicit. Adsunt Heraclienses legati, nobilissimi homines, huius iudici causa cum mandatis et cum publico testimonio venerunt, qui hunc adscriptum Heracliensem dicunt. Hic tu tabulas desideras Heracliensium publicas, quas Italico bello incenso tabulario interisse scimus omnes. Est ridiculum ad ea quae habemus nihil dicere, requirere quae habere non possumus, et de hominum memoria tacere, litterarum memoriam flagitare; et cum habeas amplissimi viri religionem, integerrimi municipi ius iurandum fidemque, ea quae depravari nullo modo possunt repudiare, tabulas quas idem dicis solere
9 corrumpi desiderare. An domicilium Romae non habuit? Is qui tot annis ante civitatem datam sedem omnium rerum ac fortunarum suarum Romae conlocavit? An non est professus? Immo vero eis tabulis professus est, quae solae ex illa professione collegioque praetorum optinent publicarum tabularum auctoritatem. V. Nam cum Appi tabulae neglegentius adservatae dicerentur, Gabini quam diu incolumis fuit levitas, post damnationem calamitas omnem tabularum fidem resignasset, Metellus homo sanctissimus modestissimusque omnium tanta diligentia fuit, ut ad L. Lentulum praetorem et ad iudices venerit et unius nominis litura se commotum esse dixerit. His igitur tabulis nulla
10 in litura nomen A. Licini videtis. Quae cum ita sint, quid est quod de eius civitate dubitetis, praesertim cum aliis quoque in civitatibus fuerit adscriptus? Etenim cum mediocribus multis et aut nulla aut humili aliqua arte praeditis civitatem in Graecia homines impertiebant, Reginos credo aut Locrensis aut Neapolitanos aut Tarentinos, quod scaenicis artificibus largiri solebant, id huic summa ingeni

praedito gloria noluisse. Quid? Cum ceteri non modo post civitatem datam, sed etiam post legem Papiam aliquo modo in eorum municipiorum tabulas inrepserint, hic, qui ne utitur quidem illis in quibus est scriptus, quod semper
se Heracliensem esse voluit, eicietur? Census nostros 11
requiris. Scilicet; est enim obscurum proxumis censoribus hunc cum clarissimo imperatore L. Lucullo apud exercitum fuisse, superioribus cum eodem quaestore fuisse in Asia, primis, Iulio et Crasso, nullam populi partem esse censam. Sed quoniam census non ius civitatis confirmat ac tantum modo indicat eum, qui sit census, se iam tum gessisse pro cive, eis temporibus is, quem tu criminaris ne ipsius quidem iudicio in civium Romanorum iure esse versatum, et testamentum saepe fecit nostris legibus et adiit hereditates civium Romanorum et in beneficiis ad aerarium delatus est a L. Lucullo pro consule. Quaere argumenta, si quae potes; numquam enim hic neque suo neque amicorum iudicio revincetur.

VI. Quaeres a nobis, Grati, cur tanto opere hoc 12
homine delectemur. Quia suppeditat nobis ubi et animus ex hoc forensi strepitu reficiatur et aures convicio defessae conquiescant. An tu existimas aut suppetere nobis posse quod cottidie dicamus in tanta varietate rerum, nisi animos nostros doctrina excolamus, aut ferre animos tantam posse contentionem, nisi eos doctrina eadem relaxemus? Ego vero fateor me his studiis esse deditum: ceteros pudeat, si qui ita se litteris abdiderunt, ut nihil possint ex eis neque ad communem afferre fructum neque in aspectum lucemque proferre: me autem quid pudeat, qui tot annos ita vivo, iudices, ut a nullius umquam me tempore aut commodo aut otium meum abstraxerit aut voluptas avocarit aut denique somnus retardarit? Quare quis tandem me reprehendat 13
aut quis mihi iure suscenseat, si quantum ceteris ad suas res

obeundas, quantum ad festos dies ludorum celebrandos, quantum ad alias voluptates et ad ipsam requiem animi et corporis conceditur temporum, quantum alii tribuunt tempestivis conviviis, quantum denique alveolo, quantum pilae, tantum mihi egomet ad haec studia recolenda sumpsero? Atque adeo mihi concedendum est magis, quod ex his studiis haec quoque crescit oratio et facultas, quae, quantacumque in me est, numquam amicorum periculis defuit. Quae si cui levior videtur, illa quidem certe quae summa
14 sunt, ex quo fonte hauriam sentio. Nam nisi multorum praeceptis multisque litteris mihi ab adulescentia suasissem, nihil esse in vita magno opere expetendum nisi laudem atque honestatem, in ea autem persequenda omnis cruciatus corporis, omnia pericula mortis atque exsili parvi esse ducenda, numquam me pro salute vestra in tot ac tantas dimicationes atque in hos profligatorum hominum cottidianos impetus obiecissem. Sed pleni omnes sunt libri, plenae sapientium voces, plena exemplorum vetustas: quae iacerent in tenebris omnia, nisi litterarum lumen accederet. Quam multas nobis imagines non solum ad intuendum, verum etiam ad imitandum fortissimorum virorum expressas scriptores et Graeci et Latini reliquerunt, quas ego mihi semper in administranda re publica proponens animum et mentem meam ipsa cogitatione hominum excellentium conformabam.

15 VII. Quaeret quispiam: quid? Illi ipsi summi viri, quorum virtutes litteris proditae sunt, istane doctrina, quam tu effers laudibus, eruditi fuerunt? Difficile est hoc de omnibus confirmare, sed tamen est certum quid respondeam. Ego multos homines excellenti animo ac virtute fuisse sine doctrina, et naturae ipsius habitu prope divino per se ipsos et moderatos et gravis exstitisse fateor; etiam illud adiungo, saepius ad laudem atque virtutem naturam sine doctrina

quam sine natura valuisse doctrinam. Atque idem ego hoc contendo, cum ad naturam eximiam atque inlustrem accesserit ratio quaedam conformatioque doctrinae, tum illud nescio quid praeclarum ac singulare solere exsistere: ex hoc 16
esse hunc numero quem patres nostri viderunt, divinum hominem Africanum, ex hoc C. Laelium, L. Furium, moderatissimos homines et continentissimos, ex hoc fortissimum virum et illis temporibus doctissimum, M. Catonem illum senem: qui profecto, si nihil ad percipiendam colendamque virtutem litteris adiuvarentur, numquam se ad earum studium contulissent. Quod si non hic tantus fructus ostenderetur et si ex his studiis delectatio sola peteretur, tamen, ut opinor, hanc animi remissionem humanissimam ac liberalissimam iudicaretis. Nam ceterae neque temporum sunt neque aetatum omnium neque locorum: at haec studia adulescentiam alunt, senectutem oblectant, secundas res ornant, adversis perfugium ac solacium praebent, delectant domi, non impediunt foris, pernoctant nobiscum, peregrinantur, rusticantur.

VIII. Quod si ipsi haec neque attingere neque sensu 17
nostro gustare possemus, tamen ea mirari deberemus, etiam cum in aliis videremus. Quis nostrum tam animo agresti ac duro fuit, ut Rosci morte nuper non commoveretur? qui cum esset senex mortuus, tamen propter excellentem artem ac venustatem videbatur omnino mori non debuisse. Ergo ille corporis motu tantum amorem sibi conciliarat a nobis omnibus: nos animorum incredibilis motus celeritatemque ingeniorum neglegemus? Quotiens ego hunc Archiam vidi, 18
iudices, utar enim vestra benignitate, quoniam me in hoc novo genere dicendi tam diligenter attenditis, quotiens ego hunc vidi, cum litteram scripsisset nullam, magnum numerum optimorum versuum de eis ipsis rebus, quae tum agerentur, dicere ex tempore! Quotiens revocatum eandem rem

dicere commutatis verbis atque sententiis! Quae vero accurate cogitateque scripsisset, ea sic vidi probari, ut ad veterum scriptorum laudem perveniret. Hunc ego non diligam, non admirer, non omni ratione defendendum putem? Atque sic a summis hominibus eruditissimisque accepimus, ceterarum rerum studia ex doctrina et praeceptis et arte constare, poetam natura ipsa valere et mentis viribus excitari et quasi divino quodam spiritu inflari. Quare suo iure noster ille Ennius sanctos appellat poetas, quod quasi deorum aliquo dono atque munere commendati nobis esse videantur.
19 Sit igitur, iudices, sanctum apud vos, humanissimos homines, hoc poetae nomen, quod nulla umquam barbaria violavit. Saxa et solitudines voci respondent, bestiae saepe immanes cantu flectuntur atque consistunt: nos instituti rebus optimis non poetarum voce moveamur? Homerum Colophonii civem esse dicunt suum, Chii suum vindicant, Salaminii repetunt, Smyrnaei vero suum esse confirmant, itaque etiam delubrum eius in oppido dedicaverunt; permulti alii praeterea pugnant inter se atque contendunt. IX. Ergo illi alienum, quia poeta fuit, post mortem etiam expetunt: nos hunc vivom, qui et voluntate et legibus noster est, repudiabimus, praesertim cum omne olim studium atque omne ingenium contulerit Archias ad populi Romani gloriam laudemque celebrandam? Nam et Cimbricas res adulescens attigit et ipsi illi C. Mario, qui durior ad haec studia vide-
20 batur, iucundus fuit. Neque enim quisquam est tam aversus a Musis qui non mandari versibus aeternum suorum laborum praeconium facile patiatur. Themistoclen illum, summum Athenis virum, dixisse aiunt, cum ex eo quaereretur, quod acroama aut cuius vocem libentissime audiret: eius, a quo sua virtus optime praedicaretur. Itaque ille Marius item eximie L. Plotium dilexit, cuius ingenio putabat
21 ea quae gesserat posse celebrari. Mithridaticum vero bel-

lum, magnum atque difficile et in multa varietate terra marique versatum, totum ab hoc expressum est: qui libri non modo L. Lucullum, fortissimum et clarissimum virum, verum etiam populi Romani nomen inlustrant. Populus enim Romanus aperuit L. Lucullo imperante Pontum, et regiis quondam opibus et ipsa natura et regione vallatum: populi Romani exercitus eodem duce non maxima manu innumerabilis Armeniorum copias fudit; populi Romani laus est, urbem amicissimam Cyzicenorum eiusdem consilio ex omni impetu regio atque e totius belli ore ac faucibus ereptam esse atque servatam; nostra semper feretur et praedicabitur L. Lucullo dimicante, cum interfectis ducibus depressa hostium classis est, incredibilis apud Tenedum pugna illa navalis; nostra sunt tropaea, nostra monumenta, nostri triumphi: quae quorum ingeniis efferuntur, ab eis
populi Romani fama celebratur. Carus fuit Africano superi- 22
ori noster Ennius, itaque etiam in sepulchro Scipionum putatur is esse constitutus ex marmore: at eis laudibus certe non solum ipse, qui laudatur, sed etiam populi Romani nomen ornatur. In caelum huius proavus Cato tollitur: magnus honos populi Romani rebus adiungitur. Omnes denique illi Maximi, Marcelli, Fulvii non sine communi omnium nostrum laude decorantur. X. Ergo illum, qui haec fecerat, Rudinum hominem, maiores nostri in civitatem receperunt: nos hunc Heracliensem, multis civitatibus expetitum, in hac autem legibus constitutum, de nostra civitate eiciemus?

Nam si quis minorem gloriae fructum putat ex Graecis 23
versibus percipi quam ex Latinis, vehementer errat, propterea quod Graeca leguntur in omnibus fere gentibus, Latina suis finibus, exiguis sane, continentur. Quare si res eae, quas gessimus, orbis terrae regionibus definiuntur, cupere debemus, quo manuum nostrarum tela pervenerint, eodem gloriam famamque penetrare, quod cum ipsis populis, de

quorum rebus scribitur, haec ampla sunt, tum eis certe, qui
de vita gloriae causa dimicant, hoc maximum et periculorum
24 incitamentum est et laborum. Quam multos scriptores
rerum suarum magnus ille Alexander secum habuisse dici-
tur! Atque is tamen, cum in Sigeo ad Achilli tumulum
adstitisset, o fortunate inquit adulescens, qui tuae virtutis
Homerum praeconem inveneris! Et vere: nam nisi Ilias
illa exstitisset, idem tumulus, qui corpus eius contexerat,
nomen etiam obruisset. Quid? Noster hic Magnus, qui
cum virtute fortunam adaequavit, nonne Theophanen Mity-
lenaeum, scriptorem rerum suarum, in contione militum
civitate donavit, et nostri illi fortes viri, sed rustici ac milites,
dulcedine quadam gloriae commoti, quasi participes eius-
25 dem laudis, magno illud clamore adprobaverunt? Itaque,
credo, si civis Romanus Archias legibus non esset, ut ab
aliquo imperatore civitate donaretur, perficere non potuit.
Sulla cum Hispanos et Gallos donaret, credo, hunc petentem
repudiasset: quem nos in contione vidimus, cum ei libellum
malus poeta de populo subiecisset, quod epigramma in eum
fecisset tantum modo alternis versibus longiusculis, statim
ex iis rebus, quas tum vendebat, iubere ei praemium tribui,
sed ea condicione, ne quid postea scriberet. Qui sedulitatem
mali poetae duxerit aliquo tamen praemio dignam, huius
ingenium et virtutem in scribendo et copiam non expetisset?
26 Quid? A Q. Metello Pio, familiarissimo suo, qui civitate
multos donavit, neque per se neque per Lucullos impetra-
visset, qui praesertim usque eo de suis rebus scribi cu-
peret, ut etiam Cordubae natis poetis, pingue quiddam so-
nantibus atque peregrinum, tamen auris suas dederit?

XI. Neque enim est hoc dissimulandum, quod obscu-
rari non potest, sed prae nobis ferendum: trahimur omnes
studio laudis et optimus quisque maxime gloria ducitur.
Ipsi illi philosophi etiam in eis libellis, quos de contem-

nenda gloria scribunt, nomen suum inscribunt: in eo ipso,
in quo praedicationem nobilitatemque despiciunt, praedicari
de se ac nominari volunt. Decimus quidem Brutus, sum- 27
mus vir et imperator, Atti, amicissimi sui, carminibus tem-
plorum ac monumentorum aditus exornavit suorum. Iam
vero ille, qui cum Aetolis Ennio comite bellavit, Fulvius,
non dubitavit Martis manubias Musis consecrare. Quare,
in qua urbe imperatores prope armati poetarum nomen et
Musarum delubra coluerunt, in ea non debent togati iudices
a Musarum honore et a poetarum salute abhorrere.

Atque ut id libentius faciatis, iam me vobis, iudices, 28
indicabo et de meo quodam amore gloriae, nimis acri for-
tasse, verum tamen honesto, vobis confitebor. Nam quas
res nos in consulatu nostro vobiscum simul pro salute huius
urbis atque imperi et pro vita civium proque universa re
publica gessimus, attigit hic versibus atque incohavit: qui-
bus auditis, quod mihi magna res et iucunda visa est, hunc
ad perficiendum adhortatus sum. Nulla enim virtus aliam
mercedem laborum periculorumque desiderat praeter hanc
laudis et gloriae: qua quidem detracta, iudices, quid est
quod in hoc tam exiguo vitae curriculo et tam brevi tantis
nos in laboribus exerceamus? Certe, si nihil animus prae- 29
sentiret in posterum et si, quibus regionibus vitae spatium
circumscriptum est, isdem omnis cogitationes terminaret
suas, nec tantis se laboribus frangeret neque tot curis vigiliis-
que angeretur neque totiens de ipsa vita dimicaret. Nunc
insidet quaedam in optimo quoque virtus, quae noctes ac
dies animum gloriae stimulis concitat atque admonet, non
cum vitae tempore esse dimittendam commemorationem
nominis nostri, sed cum omni posteritate adaequandam.
XII. An vero tam parvi animi videamur esse omnes, qui 30
in re publica atque in his vitae periculis laboribusque versa-
mur, ut, cum usque ad extremum spatium nullum tranquil-

lum atque otiosum spiritum duxerimus, nobiscum simul moritura omnia arbitremur? An statuas et imagines, non animorum simulacra, sed corporum, studiose multi summi homines reliquerunt: consiliorum relinquere ac virtutum nostrarum effigiem nonne multo malle debemus, summis ingeniis expressam et politam? Ego vero omnia, quae gerebam, iam tum in gerendo spargere me ac disseminare arbitrabar in orbis terrae memoriam sempiternam. Haec vero sive a meo sensu post mortem afutura est, sive, ut sapientissimi homines putaverunt, ad aliquam mei partem pertinebit, nunc quidem certe cogitatione quadam speque delector.

31 Quare conservate, iudices, hominem pudore eo, quem amicorum videtis comprobari cum dignitate tum etiam vetustate, ingenio autem tanto, quantum id convenit existimari, quod summorum hominum ingeniis expetitum esse videatis, caussa vero eius modi, quae beneficio legis, auctoritate municipi, testimonio Luculli, tabulis Metelli comprobetur. Quae cum ita sint, petimus a vobis, iudices, si quae non modo humana, verum etiam divina in tantis ingeniis commendatio debet esse, ut eum, qui vos, qui vestros imperatores, qui populi Romani res gestas semper ornavit, qui etiam his recentibus nostris vestrisque domesticis periculis aeternum se testimonium laudis daturum esse profitetur, estque ex eo numero, qui semper apud omnis sancti sunt habiti itaque dicti, sic in vestram accipiatis fidem, ut humanitate vestra levatus potius quam acerbitate violatus esse

32 videatur. Quae de caussa pro mea consuetudine breviter simpliciterque dixi, iudices, ea confido probata esse omnibus: quae fere a mea iudicialique consuetudine et de hominis ingenio et communiter de ipsius studio locutus sum, ea, iudices, a vobis spero esse in bonam partem accepta, ab eo qui iudicium exercet certo scio.

NOTES.

N. B. *The numbers in the left hand margin denote the numbers of the lines on the pages of the text. Where a reference is given in the body of a note, to the text, the first number refers to the small section, the second to the line on the page.*

§§ 1—4. (**Exordium.**) **Summary**. § 1. I am bound by gratitude to defend Archias, for he did much to make me the orator I am. § 2. Do not wonder at what I say, because he is a poet and I am an orator; all liberal studies are indissolubly linked together. § 3. With a poet for my client, I shall have to plead in a way unfamiliar to Roman courts, but the judge and jury love literature, and I am sure of their indulgence. § 4. I am certain that you will think Archias in every way worthy of the franchise.

§ 1, p. 21.

1 *Si quid in me* etc. This mock-modest beginning was famous among the ancients. See Quint. XI 1, 19, and 3, 97; cf. also 13 *facultas quantacumque in me est*, Pro Balbo 1, II Phil. 2 *in hac mea mediocritate ingeni.* The *si* has no conditional force; *si quid* almost = *quidquid*, as εἴ τι is often nearly = ὅ τι. The assumed humility is intended to conciliate the jury, which ancient orators were very careful to do at the outset; cf. De Or. II 80 *exordiri ita ut eum qui audiat benevolum nobis faciamus.*

Ingeni: for the form see *Appendix* B, p. 71.

Quod...exiguom: many edd. make *quod* subject to *sit* and think *sentio* is merely out of place. It is better to take *quod* as object of *sentio;* in vulgar Eng. "*which* I feel how little it is".

Quam sit exiguom: for *quam e. sit.* Cic. is fond of separating *tam quam ita tantus quantus* from the words they qualify by some small word, usually a pronoun or preposition; *e.g.* 29, l. 25 *tantis se laboribus*, 17, l. 22 *tam animo agresti*, Acad. II 83 *quam in parvo lis sit*, *ib.* I 25 *quanto id magis*, on which passage see n. in my edition.

2 *Si quae:* this, not *si qua*, is the regular form of the fem. sing. as it is of the nom. acc. neut. plural in Cic. So *ecquae*, not *ecqua* etc.; cf. 11, l. 16; 31, l. 19.

Exercitatio dicendi: not actual *practice* in speaking, for that could not be said to reside *in* a person (*est in me*), but its results, *ease* and *readiness*. For the gen. cf. II Phil. 2 *contentione dicendi*, i. e. *in dicendo.*

In qua...versatum: De Or. III 78 *hac dicendi exercitatione in qua Velleius est rudis, unusquisque nostrum versatus.* Observe that *in*

qua...esse may be scanned as a hexameter, but the *o* in *mediocriter* was always short in prose.

3 *Infitior:* = *nego*, to suit *con-fiteor* below.

Huiusce rei: i. e. *dicendi*, as in 2 l. 18 and De Or. I 113.

4 *Ratio:* observe the succession; *ingenium* (natural ability), *exercitatio* (acquired readiness), *ratio* (knowledge of theoretical principles). These are the three requisites for perfect oratory; see De Or. I 14 (where *ars=ratio*), Quint. III 5, 1 *facultas orandi consummatur natura* (=*ingenio*), *arte* (=*ratione*), *exercitatione*. Notice *aut...aut* for *et...et*, to increase the show of modesty. *Ratio* and *exercitatio* are often contrasted, as De Or. III 80, 93.

Artium: all literature, but especially philosophy. Cic. constantly insists on general culture as essential to the orator: *e.g.* Orator 113—120.

5 *Confiteor:* Roman juries, like some English solicitors, looked on the literary barrister as unpractical; hence the faltering way in which Cic. owns to a knowledge of Greek literature in passages like Pro Mur. 63. For Cic.'s studies see my Introd. to the Academica. Note the collocation of words in this clause.

Aetatis=vitae; so often, as De Fin. II 87.

6 *Earum rerum:* note that Cic. avoids the *gen. dat. abl. plur. neut.* of *is* and *qui*, as being ambiguous, unless succeeded by some word which clearly shows the gender.

Vel in primis: see *Appendix* A, p. 68.

A. Licinius: some MSS wrongly add *Archias;* Cic. craftily assumes here and 4 l. 17 that Archias is really a citizen, by using his Latin name.

7 *Fructum...repetere:* legal phrases; *fructus*=rent or interest. So *repetunt* in 19 l. 17.

Prope suo iure: "by an almost indefeasible right". As in *meo, tuo iure*, the possessive pron. implies that the right is *acknowledged;* cf. 18 (p. 28 l. 8). [See App. A, p. 68.]

8 *Quoad longissime:* a rare phrase, now read doubtfully in Liv. I 18, 8 (al. *quo l.*). [See App. A, p. 68.]

9 *Memoriam recordari:* "call to mind my earliest recollections". De Or. I 4 *memoriae recordatio.* Observe the emphatic position of *ultimam.*

10 *Inde usque:* see *Appendix* A, p. 68.

Repetens: often thus used as neut. verb; so Acad. II 13, Verg. Aen. I 372 *prima repetens ab origine.*

Principem ad: so X Phil. 24 *principem ad conatum*, Pro Sulla 9.

11 *Suscipiendam...ingrediendam:* the contrast is between adopting a resolve and *beginning* to put it into practice; cf. Ad Fam. V 12, 2 *susceptarum rerum ac iam institutarum*, also Ad Att. I 19, 6.

Rationem: here = "methodical pursuit".

12 *Hortatu:* rare and only used in ablat. sing. like many other nouns whose stems end in *-u*, e.g. *natu, algu.* [See App. A, p. 68.]

13 *Conformata:* "trained"; *lit.* "moulded".

Non nullis aliquando: note the assumed humility.

14 *Ceteris...alios:* the change has a purpose; *all* C.'s clients want his *help;* all do not need to be *saved* in a criminal trial (this is what *servare* implies). *Ceteris opitulari* is parallel to *opem ferre, alios servare* to *salutem ferre.*

15 *Situm in nobis:*=*in nostra potestate* (Acad. II 37 with my n.).

16 *Debemus:* "I am in duty bound"; *debere* is nearly always stronger in meaning than Eng. "ought".

§ 2.

Ac: at beginning of a sentence *ac, atque* (καὶ μὴν, καὶ δὴ) draw notice to a new point.

Hoc ita dici: ita—"so strongly" and is therefore not pleonastic, "cf. N. D. I 77 and Div. I 29 (*eodem modo* for *ita*); Tusc. V 23 (*isto modo*). A number of exx. of *hoc ita dicere* and the like are in Madv. Fin. II. 17."

17 *Forte:* unusually late in the clause; should come after *quis;* so Horace Sat. I 1 46 *ut si reticulum panis venales inter onusto forte vehas humero.*

18 *Ratio aut disciplina:* these are here looked upon as *proofs* of natural ability (*facultas ingeni*). Note *aut* for *ac* because of the negative.

Ne nos quidem: "nor have I". Beware of translating *ne...quidem* by "not even". The two words together simply=οὐδὲ, "nor", "and not". To make Cic. say here "not even I" would give to his speech a tinge of arrogance he never intended it to convey. Edd. have often stumbled over this simple usage; notably Goerenz on Acad. I 5. The sentence is to English notions elliptic; we should insert before *ne* some such clause as "I tell you this".

19 *Dediti fuimus: sumus* could not be substituted here; for the difference in meaning see any good grammar. [Roby, Lat. Gram. § 1453.]

20 *Humanitatem:* "culture".

21 *Quoddam...quasi quadam:* when Cic. wishes to imply that the words he has to use do not strictly express his meaning, he inserts these qualifying phrases; hence they often serve to soften metaphors, as here, or translations of Greek terms. See my n. on Acad. I 24.

Vinculum: so De Or. III 21 *est illa Platonis vera vox omnem doctrinam harum ingenuarum et humanarum artium uno quodam societatis vinculo contineri.*

§ 3, p. 22.

1 *Sed ne*, etc.; this sentence begins nearly in the same way as the last—a mark of carelessness in the composition.

2 *Quaestione legitima—iudicio publico:* these are two titles for one and the same thing, and the *et* which connects them is merely explanatory. The criminal courts of Rome, finally organised by Sulla, were named *quaestiones* (commissions of inquiry). They were called *legitimae* (founded

on *leges* or statutes) to distinguish them from the *quaestiones extraordinariae*, temporary criminal commissions, which were sometimes appointed at Rome. The same courts are called *iudicia publica*, to distinguish them from the *iudicia privata*, or civil courts.

3 *Praetorem:* see Introd. p. 16.

Rectissimum: "most upright". See *Appendix* B, p. 78.

4 *Conventu:* this word is especially used of a crowd attendant on a law-court; hence it has the meaning of Eng. "assize", or even "assize-town", or "circuit". For examples see Dictt. Notice the order of the words *conventu hominum ac frequentia;* the collocation *conventu ac frequentia hominum* would be contrary to Cic.'s usage.

6 *Consuetudine iudiciorum:* so Brut. 120, but for this we have in 32 *iudiciali consuetudine*, just as we have *forensi sermone* here for *fori sermone.* This substitution of the adjective for the genitive of the noun is especially common in Cic. [See Wichert's excellent pamphlet Ueber den Gebrauch des Adjectivischen Attributs, etc. Berlin, 1875.]

Verum etiam: this after *non modo* is rarer than *sed etiam*, which, according to Stuerenburg, is the only form found in Caesar, Livy, and Tacitus.

7 *Quaeso a vobis:* here begins the apodosis; strictly speaking, after *ne cui mirum videatur* etc., a statement of fact such as *accommodatum est huic reo* ought to come.

8 *Vobis non molestam:* a modern would insert before *vobis* an adversative particle such as *sed*, but the omission is common in Latin; cf. Ad Att. XIII 52 *habes hospitium sive ἐπισταθμίαν odiosam—mihi, dixi, non molestam.*

10 *Concursu—humanitate:* look closely at these ablatives; they belong to that division of modal ablatives which are sometimes called "ablatives of attendant circumstances". Cf. Ad Fam. XVI 9, 2 *inde austro lenissimo, caelo sereno pervenimus.* The so-called ablative absolute really is of the same nature. [Roby, Gram. § 1240.]

12 *Exercente iudicium:* the phrase is technical, and used of the presiding judge only; so 32, l. 33.

Patiamini: this is pleonastic after *ut detis hanc veniam* above; Halm quotes *permittere ut liceat* from Pro Tullio 47.

13 *In eius modi persona:* some editors err by applying these words to Cicero himself, as though they meant "speaking as I do in a capacity which etc." *Persona* is the *general type* of literary man under which Archias individually has to be placed; this general type was unfamiliar to the courts, although lawyers were often describing other general types, *e.g.* the widows' attorney as sketched in Pro Caecina 14 where *persona* is used as here. Each typical character on the stage, the old man, the young man, the parasite, had his peculiar mask (*persona*).

14 *Iudiciis periculisque:* "courts and criminal trials"; *iudicia* form the class of which *pericula* (see n. on 13 l. 8) are a subdivision.

15 *Tractata est:* many editors (Halm included) misinterpret this; it is a dramatic expression well suited to *persona.* Cf. De Off. III 106 *cum tractaretur Atreus, i.e.* when Atreus was being represented; Pro Roscio Com. 20 *personam tractare.*

§ 4.

16 *Tribui concedique:* "granted and yielded"; the first verb does not, while the second does presuppose opposition on the part of the person who grants the request before he signifies his permission.

17 *Sentiam—perficiam:* these are probably fut. ind. and not pres. subj., since Cic. is speaking confidently and not hypothetically.

18 *Segregandum:* sc. *esse*, which must be supplied from *fuisse* below.

§§ 4—7. **Statement of the defendant's case. Summary.** § 4. My client was well born in a noble town, Antioch, and when yet a boy, became a famous poet. § 5. He came to Italy and after an enthusiastic reception settled at Rome, making the acquaintance of many noble Romans, especially the Luculli. § 6. When on a journey with M. Lucullus, he was enrolled citizen of Heraclia. § 7. This gave him a title to the Roman citizenship under the statute of Silvanus and Carbo, with the requirements of which he fully complied.

§ 4 continued.

20 *Ut primum:* ἐπεὶ τάχιστα; "as soon as ever".

Ex pueris excessit: this phrase is imitated by Cic. from the Greek ἐκ παίδων ἐξελθεῖν, and is nowhere else found in Latin. But Terence Andria I 1, 24 (a line Cic. knew well—see De Or. II 326) has *is, postquam excessit ex ephebis*, cf. the line of Naevius (Ribbeck, Comicorum Fragmenta) *neque admodum a pueris apscessit neque admodum adulescentulust.* See n. on *praetextatus* in 5, l. 8.

21 *Aetas puerilis:=ei, qui aetate sunt puerili.*

Ad humanitatem informari: literally "to be moulded (so *conformata* 1, l. 13) with a view to, so as to produce culture". This is the so-called final use of *ad*, not found after *informare* elsewhere in Latin. Cic. has once (De Or. III 58) *fingi ad humanitatem*, and Cornificius Ad Herennium IV 31 *conformare ad.* Cf. Plaut. Most. I 2, 41 *parant in firmitatem.*

23 *Loco nobili:* "in high station"; beware of referring *loco* to *Antiochiae.*

Celebri: "populous", "much frequented". The tiro must notice that Cic. never uses *celeber* in our sense of "famous". *Res celeberrima* is with him a "fact that many speak of". The application of *celeber* to persons or names (*homo celeber, nomen celebre*) begins with Livy. Cic. similarly restricts the use of *celebritas* (5, l. 3) and *celebrare*, 19. l. 24; 20, l. 33; 21, l. 16.

Quondam: the Syrian Antioch, was, after Alexandria, the most important city in the East. At the time this speech was delivered it had suffered from many causes, the Mithridatic war, the family quarrels of the Seleucidae, the inroads of the Parthians. In later times it rose

again and became the second or third city of the Roman Empire, and the *metropolis totius orientis*, as Jerome calls it.

24 *Urbe:* note the change from *Antiochiae* to *urbe*.

25 *Af-flu-enti:=ab-und-anti;* translate "overflowing" and so keep the metaphor.

26 *Condidicit:* for the reading see *Appendix* B, p. 78.

27 *Adventus:* the plural implies the arrival at different places in succession; so In Pis. 51 *quid dicam adventus meos*.

Celebrabantur: note the tense; the verb is used exactly as in *viae celebrabantur* (Pro Sest. 131) and the like.

28 *Ipsius adventus: ipsius* is genitive after *adventus* and not after *expectationem*. Observe the singular *adventus;* "his arrival on each occasion".

§ 5.

29 *Italia:* in contrast to *Latio;* but southern Italy, or Magna Graecia, is particularly meant.

Tum: the provincial schools of study had been injured afterwards partly by the tendency towards centralizing literature in Rome, partly by the disturbing effects of the civil wars.

Plena: this adjective is used by Cic. far oftener with gen. than with abl.

30 *Artium...disciplinarum:* the contrast is between *theory* and *practice*, as in *ratio—exercitatio*, 1, l. 2.

Haec: put here for the usual *eadem*, because these *studia* are the theme of the present speech.

Latio: not to be taken as having a *territorial* meaning, but as referring to the *nomen Latinum* in Italy. In a remarkable passage (De Or. III 43) Cic. implies that the general culture of the Latin towns and colonies before the Social war was higher than that of Rome. The *fabula togata* of Titinius and his successors was a genuine Latin and not Roman product. [See Mommsen, Hist. B. III c. 14.]

33 *Et Tarentini:* notice that the *et* corresponds to the *et* before *omnes* below, and not to the *et* before *Regini*. Mommsen believes (from Velleius Paterculus I 15, 4) that Tarentum became a Roman burgess-colony in 122 B.C. and so ceased to be a *civitas foederata*. If this is so, the town could not have conferred any franchise on Archias. But I believe Mommsen is mistaken; the colony called *Neptunia* most likely was founded in the *ager Tarentinus*, leaving the city itself unaffected. By Roman law, no Roman could be a citizen of his own city and of other cities at the same time, but the provincials had no such rule: see Pro Balbo 29.

P. 23.

1 *Praemiis:* garlands, banquets, etc.

2 *Ingeniis:* here almost = "wits", in Pope's sense, *i.e.* gifted men. Cf. Verg. Georg. II 382 *praemiaque ingeniis pagos et compita circum Thesidae posuere;* Cic. often thus uses *divina, magna ingenia*.

3 *Dignum:* note the omission of *esse*, which is especially common with verbs of thinking and speaking.

Hac tanta: n. on 16, l. 11.

4 *Absentibus:* a modern would be inclined to write *absens;* so Pro Sest. 130 a man fixed in Rome is spoken of as *absens* in relation to Cicero then in exile.

Mario consule et Catulo: for the usual *M. et C. consulibus*, in order to mark out *M.* as by far the most important of the two. Halm quotes De Rep. I 14 *Tuditano consule et Aquilio.* Add Brut. 328.

5 *Nactus est:* the idea of effort is almost absent from *nanciscor*, which ought therefore not to be rendered by Eng. "obtain". The word means "I light upon", "I chance to find"; cf. De Fin. I 14 *quoniam te nacti sumus otiosum.*

7 *Studium:* this Catulus was himself an author; for a sketch of him see the Introd. to my edition of the Academica.

Auris: for the spelling see *Appendix* B, p. 71. Here = "taste"; usually some epithet is added, as *purgatae* (Hor. Epist. I 1, 7), *teretes religiosae* (Orator 27). Some scholars interpret *studium atque auris* as a hendiadys = *studiosas auris:* cf. De Or. III 173 *delectationis atque aurium causa.*

Adhibere: there is a slight zeugma, for the expression *adhibere res gestas* would not by itself be proper.

8 *Praetextatus:* a term not strictly applicable to a Greek youth, but Cic. purposely speaks of his client as though he were a Roman. There must be some exaggeration in Cic.'s statement, which does not agree with 4, l. 20 *ut primum ex pueris excessit*, nor would a boy of sixteen or seventeen, which is the greatest age the word *praetextatus* can imply, be likely to receive the citizenship of Regium and Neapolis.

9 *Sed etiam hoc:* for the readings in this sentence see *Appendix* B, p. 78. Cic. begins as though he meant to make the general statement that life-long friendship proves excellence in those on whom it is conferred, but as he goes on he turns it into a special statement by introducing *huius.*

10 *Domum:=familiam.*

§ 6.

12 *Iucundus:* nearly = *carus;* the two words are often joined, as In Cat. IV 11 *carum atque iucundum;* cf. 22, l. 16.

13 *Q. M. illi N. et eius P. filio:* mark the order of the words; the position of *Pio* is especially noticeable. Cf. Pro Cluent. 25 *Aurium et eius C. filium*, Brut. 98 *Servius Galba cuius Gaio filio;* also De Nat. D. III 39. The persons named in this section are all so well known that it is unnecessary to give their history. The name *Pius* was given because its possessor rescued his father *Numidicus* from exile.

14 *Aemilio:* i.e. *Scauro;* the great statesman of the time of the Jugurthine war.

Vivebat cum: "he used to pay visits to".

Q. Catulo: observe the singular, contrary to Cic.'s usage; *e.g.* De Or. I 38 *Ti. et C. Sempronios;* De Har. Resp. 26 *Gai et Appi Claudiorum.*

L. Crasso: the orator; *Drusum:* the aristocratic demagogue; *Octavios:* chiefly the consul of 87 B.C. (with Cinna); *Catonem:* probably father of *C. Uticensis.*

17 *Afficiebatur: i.e.* by others as well as by those already named.

18 *Percipere atque audire:* "to learn (or grasp) and hear"; a slight ὕστερον πρότερον. Notice *atque* here but *ac* below (*iure ac foedere;* the reason for the difference is that Cic. objected to writing *ac* before a vowel. Where it is so found in modern texts, it is due to MSS corruptions.

Qui...si qui: the change is worth notice; the real students are felt by Cic. to be a definite and substantial class, while the pretenders have about them something shadowy and fleeting. This tinge of feeling is conveyed by *si.*

20 *Interim:* this seems to mean merely that the visit to Sicily *interrupted* the sojourn at Rome.

Satis longo intervallo: "after a tolerably long lapse of time"; *i.e.* since the arrival in Rome; the same phrase is in Acad. I 1.

Cum: observe the repetition, four times over in the same sentence, of this word. It seems awkward to us, but similar repetitions are not uncommon; *e.g.* Pro Balb. 1.

M. Lucullo: for the reading see *Appendix* B, p. 78.

22 *Decederet:* this is the technical expression used of Roman officials leaving the provinces for Rome; but it would be wrong to conclude that the journey of Lucullus was on state business. Indeed if it had been, Cic. would have been careful to mention the fact, as it would have been a point in favour of his client. As it is, Cic. merely uses the official word in order to make the journey seem more important. It is possible that Lucullus obtained from the senate a *libera legatio.*

23 *Iure:* here = constitutional status in the eyes of the Roman government.

Foedere: the treaties in force between Rome and the *civitates foederatae* were roughly divided into *aequa* and *iniqua;* the conditions contained in them were most various. The *foedus* of Heraclia was so favourable as to be called *prope singulare* (Pro Balbo 50; cf. 21 and 46). See Introd. p. 8.

Adscribi se in eam: "to be drafted into, enrolled in"; in this sense the accus. with *in* or *ad* nearly always follows the verb; *adscribere* with acc. and dat. has another sense, "to impute". The addition of *se = suum nomen* should be remarked.

24 *Per se dignus: p. s.* (= "on his own account") is a phrase which first becomes really common in Livy. Mark *dignus* without a case after it; also the omission of *esse,* as in 5 p. 23, l. 3 *dignum existimarunt.*

25 *Auctoritate:* influence due to high station; *gratia:* influence due to private acquaintances.

§ 7.

26 *Civitas:* κατ' ἐξοχὴν = *Romana.*

Lege: see Introd. pp. 8, 9.

Si qui: eis qui, ὅσοι.

27 *Civitatibus:* if this be dat. the change of construction from *adscribi in civitatem* above is odd. It is just possible that the case is an abl. with local meaning; the omission of *in,* though strange, would not be unparalleled in Cic. *In* may have slipped out between the participle and the noun, cf. 10 *cum aliis quoque in civitatibus fuerit adscriptus.* The preposition in such a position was unfamiliar to the writers of MSS, and therefore often negligently omitted in copying.

Tum, cum ferebatur: after *habuissent* above one would expect *cum ferretur;* the indicative however marks the time more clearly and emphatically.

28 *Italia:* probably excluding Gallia Cisalpina.

Domicilium: "a settled home"; the legal interpretation to be put on this term seems to have been left to the praetors.

29 *Diebus:* "*within* sixty days"; *limit* of time requires the abl. (In Gk. the gen.; ἑπτὰ ἐτῶν "*within* seven years".)

Praetorem: a (not *the*) praetor; n. on 9, l. 19.

Professi: sc. *nomina.*

30 *Haberet:* observe the tense; impf. not plupf. = "had had and continued to have".

31 *Familiarissimum:* the superlative adjective used as substantive, like the positive. [The substantival *comparative* is much rarer.] *Familiarissimus* is in Ad Fam. XIII 27, 2; cf. Verr. V 177 *omnibus iniquissimis meis.*

§§ 8—11. **Proofs of Defendant's case. Summary.** § 8. It cannot be denied that my client fulfilled the conditions of the *Lex Plautia Papiria.* M. Lucullus and the citizens of Heraclia testify that Archias was made citizen of Heraclia; it is absurd to call for the city records, which you know were accidentally burned. § 9. You cannot deny that Archias had a settled home at Rome, and the register of the praetor Metellus Pius, in which Archias' name is enrolled, is quite above suspicion. § 10. It is antecedently probable that the citizens of Heraclia conferred on Archias the citizenship. To deprive Archias of the *civitas,* which many have attained by fraud, would be absurd. He is on the burgess-roll of several other cities as well as Heraclia. § 11. You say Archias' name does not appear on the censors' registers; this can be easily explained.

§ 8.

32 *Nihil aliud nisi:* sc. *facimus* or *agimus.* Some scholars deny that there is such an ellipse; but in numerous passages, as Pro Sulla 35, Verr. V 58 Cic. inserts the verb *agere* or *facere* with *nihil aliud nisi*, so it is fair to conclude that in passages like the present, and Pro Sest. 14, a verb is to be supplied. Cf. the very similar ellipse in οὐδὲν ἄλλο ἤ.

Civitate ac lege: = *civitate Romana lege Plautia Papiria data.*

Dicimus: = *dicturi sumus*, as often; the repetition in *dicimus dico dicta est* is clearly intentional. *Causa dicta est:* "our case is stated".

33 *Grati:* see Introd. p. 13.

P. 24.

1 *Heracliae:* "*at H.*"; *not* dependent on *ascriptum;* see n. on 7, l. 27.

Tu eum: see *Appendix* B, p. 78.

2 *Adest:* sc. *nobis;* "we are supported by". Lucullus appeared not only as witness, but as *advocatus* (friend and supporter) of Archias.

Auctoritate: influence as a man of position; *religione:* scrupulosity about oaths; *fide:* veracity and honour.

3 *Opinari—scire:* the contrast (often found in the Academica) is between knowledge founded on conjecture (δόξα), and knowledge founded on certainty (ἐπιστήμη). *Non...sed* throughout the sentence = *non modo, sed etiam.*

4 *Egisse:* not to be taken literally. M. Lucullus could not actually conduct the ceremony of conferring the franchise of Heraclia on Archias, but he could and did bring it about by his influence; his evidence about the fact was therefore important.

Adsunt—venerunt: for the *asyndeton* cf. Verr. V 154, a passage very similar to this; *Adsunt enim Puteoli toti, frequentissimi venerunt ad hoc iudicium mercatores homines locupletes atque honesti, qui dicunt......*

6 *Publico testimonio:* testimonials from corporations were common in Roman courts.

7 *Ascriptum:* such citizens were called *ascripticii* (De Nat. Deor. III 39) to distinguish them from those who were citizens by birth.

Hic: "at this point"; *tabulas:* "records".

8 *Italico bello:* the war of 90, 89 B.C., called by Horace *Marsum duellum*, by Nepos *bellum sociale.*

9 *Omnes:* note the emphasis given by the position of the word at the end of the sentence, and cf. Acad. I 14.

Est: remark *est* at the beginning of the sentence, *not* followed by any connective particle; this is unusual. The abruptness gives emphasis; "it *is* ridiculous".

Ad: = "in reply to".

10 *Requirere:* n. on 3, l. 8 *vobis non molestam.*

11 *Tacere:* "to be purposely or obstinately silent"; different from *silere*, which merely denotes the *fact* of silence.

Flagitare: "to clamour for"; a strong word—literally "to make a *burning* request", from root *flag*—found in *flamma* (= *flag-ma*) *flamen flagitium* (a *burning* scandal).

14 *Quas idem:* Cic. writes *tu idem, ego idem, qui idem* etc., not *tu etiam* etc., where the meaning is "I moreover", "I further" etc.

§ 9.

15 *An:* "or was it that..."; for the readings here see *Appendix* B, p. 80.

Romae: the law (7) said *Italia*, but Cic. to put the point effectively repeats what he had said in 7, l. 29 *cum hic domicilium Romae multos iam annos haberet.*

17 *Fortunarum:* "worldly possessions".

18 *Immo:* for *immo* in the answer to a rhetorical question cf. Ad Att. IX 7, 4 *causa igitur non bona est? Immo optima.*

19 *Ex illa professione:* "resulting from, having their origin in that registration".

Collegio: *all* the praetors then, at that time six in number, and not merely the chief praetor, the *praetor urbanus*, were authorised by the *Lex Plautia Papiria* to receive names.

Optinent: "*re*tain"; the translation "*ob*tain" does not suit this passage, but the common opinion that *obtinere* is never to be translated by "obtain" is mistaken.

20 *Auctoritatem:* the credit that state documents ought to have.

Appi: probably A. Claudius (or Clodius) Pulcher, a man of indifferent character, father of Cicero's enemy P. Clodius, and mentioned by Cic. Pro domo sua 83.

21 *Gabini:* P. Gabinius Capito, mentioned by Cic. Div. in Q. Caec. 64 as having been condemned for malversation (*repetundarum*) in his provincial governorship of Achaia.

In-col-umis: literally "not injured"; the root is *skar*, or *skal*, to cut, and appears in Eng. *shear*, Gk. κολ-ούω, κολ-ὸς (docked).

22 *Calamitas:* this is a common euphemism for disfranchisement or deprivation of civil rights; cf. Pro Caecina 18. In Gk. συμφορὰ is often used in the same euphemistic way.

23 *Tabularum fidem resignasset:* a metaphorical extension (not found elsewhere) of the phrase *tabulas resignare*, to break the seal of a document.

Homo: note the word *homo*, not *vir;* n. on 16, l. 7.

Sanctissimus: "most conscientious"; *modestissimus:* "most loyal, law-abiding". The young scholar should observe this political sense of *modestus*, which is far commoner than its ethical sense; cf. Pro Balbo 50 where the word is again applied to this Metellus, and Post Red. in Senatu 4 *consules modesti legumque metuentes impediebantur lege.*

24 *Diligentia:* this word denotes minute painstaking carefulness in work; here "exactness".

Ad L. Lentulum et ad: no exact rule can be given for the repetition of prepositions, but generally when the repetition takes place, as here, the two nouns are marked off from one another with greater distinctness and separateness than they would have if the second preposition were left out.

25 *Iudices:* probably a trial about citizenship. Lentulus, a praetor of 89 B.C., is only known from this passage.

26 *Litura:* apparently an erasure he had been obliged to make in his own register.

Nulla in litura: for reading see *Appendix* B, p. 78.

27 *A. Licini:* n. on 1, l. 6. Only the *Roman* name of Archias was entered on the register.

§ 10.

28 *Eius:* one would expect *huius* from an advocate speaking about a client present in court. But *eius* here means "the person so described", *i.e.* by the title A. Licinius.

Civitate: the context shows that this means *not* the *Roman* franchise, but the franchise of Heraclia. The argument is "why should you doubt the fact that Archias was enrolled citizen of Heraclia, when it is clear that he is an enrolled citizen of other towns? Perhaps you doubt this too, that is you admit that the towns open freely their citizenship to men of low character and attainment while you doubt the likelihood of their having opened it to my client, a man of the highest ability". The argument is a *reductio ad absurdum.*

29 *Fuerit:* not *sit*, because the enrolment of citizens had long ceased in these towns, since they had been incorporated with the Roman tribes. So in 7, l. 27 *ascripti fuissent.*

30 *Humili aliqua:* *βαναύσῳ τινι*; *aliquis* like *τις* adds a contemptuous indefiniteness to the epithet; cf. Acad. II 32 *desperatos aliquos.*

31 *Graecia:* the context shows that *Magna Graecia* is especially meant; so Tusc. Disp. V 66.

32 *Credo:* when *credo* is ironical, as here, it generally stands in a parenthesis, without influencing, as it does here, the construction of the sentence. Cf. 25, l. 15 and l. 17, and the use of *οἶμαι* in Gk.

33 *Scaenicis artificibus:* the Romans of the Republic always regarded the occupation of acting on the stage as incompatible with citizenship. The word *artifex* was applied even to sculptors and painters, as well as to singers, actors, dancers and the like.

P. 25.

1 *Quid?* this little anticipatory question like *τί δε*; in Gk. only serves to draw special attention to the following sentence: "what will you say to the next question?"

1 *Ceteri:* at first sight it seems as though this had the same meaning as *multi alii* would have had. But probably *ceteri* = either "all the persons quoted by Gratius", or "all the other persons whose citizenship has been questioned".

2 *Legem Papiam:* see Introd. p. 12.

5 *Se Heracliensem esse voluit:* Cic. often omits the infinitive in phrases like this, *e.g.* De Fin. V 13 *physicum se voluit*, De Orat. II 246 *qui se volt dicacem.* The difference between the two forms is one of emphasis merely.

Eicitur: the same verb is used in connexion with the *Lex Papia* in De Leg. Agr. II 13.

§ 11.

Census: the plural is noticeable; Gratius had evidently drawn attention to *each* census taken since Archias became citizen and pointed out the absence of his name from the censorial lists.

6 *Scilicet:* ironical assent; "yes; of course it is not known that..." Edd. qu. Ad Quint. Fr. I 3, 1 *ego tibi irascerer? Scilicet: tu enim me adflixisti. Scilicet* in Latin comedy often expresses assent to a question; *e.g.* Plaut. Trin. II 4, 178.

Censoribus: see Introd. p. 15.

7 *Apud exercitum:* Archias was not a member of the army, but only in attendance upon it, hence Cic. could not write here *in exercitu.* Halm qu. Verr. IV 49 *Eupolemo Lucullorum hospiti, qui nunc apud exercitum cum L. Lucullo est.* Cic. very rarely, if ever, uses *apud* followed by the accusative in the same sense as *in* followed by the ablative. This use, or rather misuse of *apud* first becomes common in Tacitus.

8 *Quaestore:* Lucullus was *quaestor* to Sulla; cf. Acad. II 11.

9 *Crasso:* the *nomen* Licinius is not given because, as there were several branches of that gens, it would be ambiguous.

10 *Non confirmat:* "adds no strength to".

Ac: here corrective = *ac potius.*

11 *Iam tum:* "at that particular moment".

13 *Versatum:* "had no share in".

14 *Saepe:* on account of the dangers he encountered while with Lucullus.

Adiit: technical in this sense; one of the titles in the Digest is "*ae adeunda vel acquirenda hereditate*". Wills not made by Roman citizens were not judged by the strict rules of Roman law, and only citizens could inherit from citizens as a rule.

15 *Beneficiis:* when a provincial governor came back to Rome it was customary for him to send in to the Treasury a list of persons on his staff or in his suite to whom he had granted or promised rewards for public services. This list was headed "*beneficia*"; the appearance of Archias' name on the list of Lucullus was a proof that L. looked on

him as a citizen. The word *beneficium* is much used in connexion with patronage. Thus so long as the military tribuneships remained in the gift of the consuls, they were called *beneficia consulum* (Livy IX 30); after that they became *populi Romani beneficia* (Verr. V 180, Sallust Iugurtha XXXI). The phrase *deferre in aerarium* (Pro Balbo 63 *Caesar praefectum fabrum detulit*) is especially used of the *beneficia*, while *referre in aer.* is used of money and accounts. The two phrases come together in Ad Fam. V 20, 6 and 7. In Pro Sest. 54 the *beneficia* are mentioned as having been settled by Gabinius *before* he went into his province; cf. II Phil. 82.

16 *Pro consule:* for reading see *Appendix* B p. 78.

17 *Neque suo* etc.: will never be refuted by an appeal to the judgments he has passed on himself (*ipsius iudicio* l. 12) or which have been passed on him by his friends, *i.e.* he and his friends have always acted as though he were really citizen. The verb *revincere* (found here only in Cic.) is a legal term, like *refutare, redarguere, refellere*, and in prose writers is used generally with legal reference, as Liv. VI 26, 7 *crimina revicta;* Tac. Ann. XV 73 *revicta coniuratio.*

§§ 12—14. **Reasons for taking interest in Archias. Summary.** § 12. A man like Archias provides us with relaxation for our minds, without which we advocates could not support our labours. I am not ashamed to confess myself a student of literature, for which, however, I have never neglected my profession. § 13. I surely may be allowed to spend on literature such time as others spend on idle amusements, and the more so because literature nourishes oratory. § 14. The highest moral ideas are conveyed by literature, which also preserves for us pictures of the great men of the past who ought to be our models.

§ 12.

19 *Tanto opere:* to be written thus, not *tantopere;* so *magno, maximo, summo, nimio opere.*

20 *Suppeditat ubi:* note the omission of an antecedent for *ubi*, which is caused by the difficulty of finding a noun suited to a person: the natural word *locum* is inapplicable.

21 *Ex:* here = 'after', of time.

Con-vic-io: (connected with *vox*) denotes literally a din of many voices together. Cic. and the older Latin writers rarely use the word of the noise made by a single voice. In passages like Acad. II 34 (*convicio veritatis*), Ad Fam. XV 18, 1 (*convicium Platonis*), there is present an idea of the *repetition* of sounds by a single voice. In older Latin the plural is rare; Cic. uses it but thrice (Ad Att. II 18, 1, De Nat. D. II 20, De Fin. I 69).

22 *Tu:* observe the emphasis; *nobis = oratoribus.*

Suppetere: here used as the passive of *suppeditare.* Quint. X, 1, 27 alludes to this passage: *Plurimum dicit oratori conferre Theophrastus lectionem poetarum multique eius iudicium sequuntur, nec immerito. Namque ab his et in rebus spiritus et in verbis sublimitas et in affectibus motus omnis et in personis decor petitur praecipueque velut attrita quotidiano actu forensi ingenia optime rerum talium blanditia reparantur, ideoque in hac lectione Cicero requiescendum putat.*

24 *Tantam posse contentionem:* observe the order of the words.

26 *His studiis:* = 1, l. 4 *optimarum artium studiis.*

Deditum: a strong word; "devoted"; so in 2, l. 19.

Pudeat: n. on 1, l. 5 *confiteor.*

27 *Litteris:* elsewhere Cic. nearly always makes *abdo* take an accusative, either with or without *in*. Thus Ad Fam. VII 33, 2 *me totum in litteras abdere;* In Pis. 93. With a perfect or pluperfect tense, and with the passive participle, since the motion is contemplated as finished and the rest begun, an ablative sometimes follows, but always with *in*. If in the present passage *litteris* is an abl. of *place*, the omission of *in* is without parallel in Cic. or any other prose writer before Tacitus. It has been taken as an ablative of the *instrument* as in Fam. IX 20, 3 *involvo me litteris* (if the reading be right). But who would speak of using literature as an *instrument* or *means* for hiding? Others construe *litteris* here as a dative; cf. Verg. Aen. II 553 *lateri capulo tenus abdidit ensem*, who also has the local abl. without *in*, Georg. III 96 *abde domo.* But the dat. may safely be pronounced impossible in Cic. and it is most probable that *in* has dropped out before *litteris* in the MSS.; cf. n. on 7, l. 27, also on 2, l. 25.

Nihil...neque...neque: note the negatives after *nihil*, where in Eng. we should use positive expressions.

29 *Ita vivo* etc.: Cic. often makes this boast, as in II Phil. 20.

30 *Tempore:* here = "hour of peril," referring to criminal cases, while *commodo* refers to private law-suits. Cf. Pro Imp. Cn. Pomp. 1 *amicorum temporibus* with Arch. 13, p. 26 l. 8 *amicorum periculis*, In Vat. 2 *periculo—tempori.*

32 *Retardarit:* followed by *a* Ad Fam. V 17, 1. Remark the artistic construction of the last clause.

§ 13.

Reprehendat: as *si...sumpsero* follows, *reprehendet* would have been more natural.

33 *Iure suscenseat:* "would have any right to be angry".

P. 26.

1 *Festos dies ludorum:* Verr. IV 151 *diem festum ludorum*, Sest. 131 *urbes Italiae festos dies agere adventus mei videbantur. Celebrandos* = "for attending (lit. in crowds) at the games"; n. on 4, l. 23.

2 *Ad ipsam requiem:* "merely for rest"; so 15, l. 31 *naturae ipsius habitu.*

3 *Temporum:* separated by an unusual interval from *quantum*, the word on which it depends; cf. Pro Balbo 3 *tantum—temporis;* Halm qu. Liv. V 28 (*hoc—servitutis*), a still more remarkable example. The plural *temporum* is used rightly to denote the several portions of

time allotted to each of the occupations mentioned. So Pro Mur. 74 *Romani homines, qui tempora voluptatis laborisque dispertiunt.* Our present passage is imitated by Quint. I 12, 18.

3 *Tempestivis:* "early", *i.e.* beginning before the customary hour, three o'clock or so in the afternoon, and therefore "protracted". Cf. De Senect. 46, Pro Mur. 13, Ad Att. IX 1, 3, in which last passage Cic. describes himself as being evil spoken of *in tempestivis conviviis, i. e.* in dissolute society.

4 *Quantum denique:* at first sight *denique* seems to introduce not, as it should, the last thing in the enumeration, but the last but one. However, the *alveolus* and the *pila* are regarded as mere subdivisions of one and the same *mode* of spending time. *Alveolus* (a rare word—diminutive of *alveus*) lit. "dice-box", here=*ludus alearum*, a game in bad repute at Rome, where it was condemned by many severe but ineffectual laws (Hor. Od. III 24, 58 *vetita legibus alea*). The game with the *pila* was perfectly respectable, and it is rather strange that it should be coupled with dicing here.

5 *Recolenda: recolere* lit.="to revisit"; here=*renovare*, "to refresh the memory about", as in De Or. I 2 *ad eas artis quibus a pueris dediti fuimus celebrandas inter nosque recolendas.*

7 *Crescit:* "makes progress"; so rising men are said *crescere* (Pro Rosc. Am. 83, Pro Cluent. 77). For *crescere ex* Cic. sometimes uses *crescere de*, as Verr. V 173.

Oratio et facultas: apparently for *orationis facultas;* or a comma might be put at *oratio* and *facultas* taken closely with the words that follow.

8 *In me est:* cf. 1, l. 1.

Periculis: used, as often, with a reference to criminal trials. The word is even used to denote a list or calendar of persons to be tried, as Verr. III 183 *eorum hominum fidei tabulae publicae periculaque magistratuum committuntur; ib.* II 107 *Sthenii periculo;* Nep. Epam. c. 8 *ut in periculo suo inscriberent* (where Halm has *sepulcro* wrongly). One of the *tituli* of the *Codex Theodosianus* is *de sententiis e periculo recitandis.* The Eng. word "danger" (from a Low Lat. word *dominiarium*) was originally a legal word; cf. Chaucer Prologue (of the Sompnour) *In daunger had he at his own assize The younge gurles of the diocise, i. e.* within his jurisdiction or power of inflicting a fine (*damnum*). Hence *danger=debt*, as Shakespeare *Merchant of Venice* IV 1 *you stand within his danger.*

9 *Illa:* the high moral principles detailed in the next sentence.

§ 14.

11 *Suasissem:* many edd. read *persuasissem* because in good Latin prose *suadere* is very rarely followed by infin. with or without acc. but usually either by dat. of person with acc. of thing or by *ut, ne* with subj. I believe that the clauses beginning *nihil* and ending *ducenda* are really epexegetical or explanatory of a suppressed pronominal accusative such as *id*,

which in itself would be quite legitimate. Cf. the closely parallel passage Pro Caec. 15 *suadebant amici Caesenniae id quod ipsi quoque mulieri in mentem veniebat; quoniam potestas esset emendi fundum...nullam esse rationem amittere eius modi occasionem.* In De Fin. II 95, De Or. I 251 the infinitive without an accus. follows *suadere.*

12 *Expetendum:* "choiceworthy"; a technical philosophical term, applicable to anything which is included in the *summum bonum* or ethical end or aim. The term is a trans. of the αἱρετὸν of the later Greek philosophy; see my n. on Acad. I 22. *Honestas=virtus* (cf. 15, l. 33 *laudem et virtutem*) is especially used by Cic. to translate the Stoic term for that which should be the sole aim of moral action in life—τὸ καλόν. We have therefore here a trace of Cicero's tendency towards Stoicism when dealing with ethical subjects, for which see my introduction to the Academica.

Laudem: here not "praise", but "that which deserves praise", "merit"; a common use, as Verg. Aen. V 355 *primam merui qui laude coronam.*

13 *Cruciatus* etc.: this is the stock description of the *vir bonus*, the σοφὸς, given by Greek and Roman moralists alike. Even Epicurus held that the σοφὸς was happy *etiam in cruciatu et tormentis* (Tusc. V 73). Cf. Acad. II 23 *vir bonus qui statuit omnem cruciatum perferre, intolerabili dolore lacerari potius quam aut officium prodat aut fidem*, also Plat. Rep. 361 E.

15 *In dimicationes:* the verb *obicere* is generally followed by the dat., rarely by *in* with acc. The constr. was possibly changed here to avoid the dat. of *impetus* which, like that of most nouns of the *-u* declension, is rare in good authors (*impetibus* in Lucr. I 293 is probably not connected with *impetus* but with *impetis impete*). *Obicere in* occurs also Pro Cluent. 113, *obicere ad* Ad Fam. VI 4, 3, *offerre in* Pro Sest. 1.

16 *Hos profligatorum hominum: i. e.* the attacks succeeding the suppression of the Catilinarian conspiracy.

17 *Pleni libri:* sc. *talium praeceptorum.*

18 *Plena exemplorum: i. e.* examples of great men who practised the moral principles enunciated above.

Iacerent...tenebris...lumen: cf. Hor. Od. IV 9, 25 *vixere fortes ante Agamemnona Multi sed omnes illacrimabiles Urgentur ignotique longa Nocte carent quia vate sacro.*

19 *Accederet:* al. *accenderet*, a mere error of the scribes, induced by the proximity of *lumen.* The phrase *lumen accendit exempla* is impossible Latin.

20 *Imagines...expressas:* "pictures vividly drawn"; see n. on 30, p. 32, l. 6. Observe the emphatic position of *expressas.*

23 *Animum et mentem:* often joined together as by Lucr. I 74 *mente animoque*, Verg. Aen. VI 11, and most prose writers. The distinction between the two words roughly corresponds to the Eng. "heart and mind".

24 *Cogitatione hominum:=de hominibus;* so often, as Sest. II *praeteriti temporis cogitationem;* in Eng. "the thought of".

§§ 15, 16. **Answer to supposed objections. Summary.** It will be objected, were the great men of antiquity acquainted with literature and philosophy? I answer, that natural excellence alone has made many men great without culture. But the union of natural excellence with culture is necessary for producing the greatest characters. The attention paid to literature by Cato the censor shews its value.

§ 15.

26 *Quaeret quispiam:* commonly used, like *dicet aliquis,* to introduce an anticipated or imaginary objection.

27 *Litteris:* probably the abl. of the instrument as Verr. Act. II I 47 *proditum est memoria ac litteris* (as the best edd. read); yet *memoriae prodere* is common.

29 *Confirmare:* "to state positively"; ἰσχυρίζεσθαι.

Est certum quid: "I am clear about the answer I must give". After *certum est* the infinitive usually follows; but cf. Verr. V 53 *qui publicos agros arant certum est quid e censoria lege dare debeant,* and in comedy phrases like *certa res est ut abeam, certum est quid agam* etc.

32 *Moderatos:* "self-controlled", σώφρονας; *gravis:* "steadfastly moral".

33 *Ad laudem valuisse:* "has availed to produce excellence"; the same constr. is in De Or. III 104. The use of *ad* is like that in 4 l. 21 *ad humanitatem informari,* where see n.

P. 27.

1 *Idem ego:* "I further maintain"; different from *ego etiam* (*e.g.* Terence, Hec. V 1, 36) which would mean "I as well as others". Cf. Pro Sulla 20, II Phil. 24.

3 *Ratio...doctrinae:* "what I may call (*quaedam*) the methodical training and the cultivation afforded by learning". For *quaedam* see n. on 2, l. 21; for *conformatio* cf. 1, l. 14 *conformata.*

4 *Nescio quid:* "a certain product which is noble and precious". *Singulare,* properly="unique", is here a rhetorical exaggeration, and *nescio quid* marks the fact that the orator is not quite satisfied with his choice of epithets.

§ 16.

Ex hoc numero: n. on 31, l. 25.

5 *Hunc:* points out Africanus the younger, as being nearer in time to the speaker than A. the elder; so De Or. II 270 *Africanum hunc Aemilianum,* De Rep. I 14 *Africanus hic Paulli filius.* In Verr. V 25 the two Africani are mentioned together, the younger being indicated by *hic,* the elder by *ille.*

Divinum:="glorious", simply.

6 *Africanum* etc.: consult Dict. Biogr. Mommsen, Hist., gives a good account of the famous Scipionic circle, who furthered Greek culture at Rome during the last half of the second century B.C.

7 *Fortissimum virum:* note the change from *hominem, homines* to *virum.* The adjective *fortis* very rarely is joined with *homo,* and this is one reason for the transition, but it should be observed that Cic. frequently passes from *homo* to *vir* and *vir* to *homo* for no other apparent reason than the love of variety; *e.g.* Pro Rabir. perd. reo 26 *an non intelligis primum quos homines et qualis viros mortuos summi sceleris arguas?* But in other passages *homo*=a human being, regarded merely as a specimen of the race, *vir*=a man who possesses the qualities most generally admired in the male sex, as Ad Fam. V 17, 3 *ut te et hominem et virum esse meminisses,* Ad Qu. Fr. II 11, 5 *virum te putabo si Sallusti Empedoclea legeris: hominem non putabo.*

8 *M. Catonem illum senem:* so Pro Sulla 23 *M. illi Catoni seni,* Pro Planc. 20 *de M. C. illo,* Verr. II 5 *ille M. C. sapiens,* De Rep. II 1 *Catonis senis,* De Off. II 89.

9 *Ad percipiendam colendamque v.:* "in grasping and practising virtue". The constr. *adiuvare ad* occurs Pro Quint. 75.

10 *Adiuvarentur:* note the tense; "were aided during their lives".

11 *Hic tantus:* this juxtaposition of two pronouns is foreign to Eng. idiom, but common in Latin, mostly at the beginning of a clause, *e.g.* Verr. IV 68 *istius haec tanta iniuria,* Ad Fam. IV 6, 1 *suum talem erga me animum.*

Si non ostenderetur: "if we had not the promise of"; *ostendere* may often be rendered by "promise", as Ad Fam. IX 8 *munus flagitare, quamvis quis ostenderit, ne populus quidem solet nisi concitatus,* cf. Ad Att. IX 9, 1; IX 13, 4.

13 *Remissionem:* for reading see *Appendix* B p. 79.

Liberalissimam iudicaretis: in good Latin *esse* is generally omitted with *iudico* (and other similar verbs) whether the object of the verb has an epithet agreeing with it (as here) or another noun in apposition to it, as in Caesar B. G. V 56, 3 *Cingetorigem hostem iudicat.*

15 *Omnium:* note the position in the clause of this word, which of course goes with all three nouns.

At haec: for *at* introducing the contrast to *ceterae,* cf. Pro Imp. Cn. Pomp. 15.

16 *Alunt:* "strengthen", as in Verg. Aen. V 231 *hos successus alit,* Caes. B. G. VII 33 *ne tanta et tam coniuncta populo Romano civitas quam ipse semper aluisset omnibusque rebus ornasset ad arma descenderet,* Tusc. I 4 *honos alit artes;* also *ali ingenia posse* (sc. *puerorum*) in a letter of Cic. preserved by Suet. Rhet. 2.

17 *Adversis:=eos qui in ad. rebus sunt;* i.e. *res pro persona,* as often. For the sense cf. Aristotle qu. by Diog. Laert. V 1 19 τὴν παιδείαν ἔλεγεν ἐν μὲν ταῖς εὐτυχίαις εἶναι κόσμον, ἐν δὲ ταῖς ἀτυχίαις καταφυγήν.

Solacium: for the spelling see *Appendix* B p. 73.

§§ 17—27. **Further proof of the proposition that poets in general, and Archias in particular, are to be admired and rewarded. Summary.** § 17. Our whole country sorrowed at Roscius' death; much more

then ought we to honour Archias. § 18. His feats both in improvised and in studied poetry, have been marvellous, and shew inspiration. Rightly did Ennius call poets "sacred". § 19. I beg you to keep as sacred the title of "poet". Greek towns strove to prove after Homer's death that he was their citizen; shall we eject from among us Archias, while still alive? He has done great service to Rome, having celebrated Marius, to whom he was dear. § 20. Even Marius loved those who could record his achievements. § 21. Archias has also sung the mighty deeds of Lucullus, and has thus reflected a glory on every Roman. § 22. So Ennius, who was beloved by Africanus the elder, really glorified all Romans in glorifying the Marcelli and others. Our forefathers made Ennius, an alien, a citizen; are *we* to banish Archias? § 23. Both nations and individual soldiers ought to be glad to have their praises sung as widely as their conquests extend. § 24. Both Alexander and Pompey felt this. § 25. Had not Archias been already a citizen by law, he would have received the franchise from some commander. § 26. Commanders are men and greedy of fame. § 27. This the examples of Brutus and Fulvius shew.

§ 17.

20 *Attingere:* "to touch lightly", "dabble in"; cf. 28, l. 16 *attigit versibus atque incohavit*, so *attingere poeticen* (Nep. Att. 18), *a. strictim librum* (Att. II 1, 1), *extremis digitis a.* (Pro Cael. 28).

21 *Gustare:* lit. "to sip", used like *attingere* for slightly occupying oneself with a thing, dabbling in it. So De Nat. D. I 20 *primis, ut dicitur, labris gustasse physiologiam*, In Pis. 58 *non gustarat istam tuam philosophiam*, Plaut. Most. V I 15 *gustare eius sermonem*, "to get an inkling of his talk" (by eavesdropping).

Etiam: this, as Halm observes, qualifies the whole clause, which =*etiam in aliis* (i. e. *non in nobis*) *videntes*. It is possible, though not so likely, that there is a mere ellipse of *tum*. (So Richter.) Cf. Pro Flacco 9 *etiam tum cum*.

22 *Tam animo agresti:* n. on 1, l. 1 *quam sit exiguum*.

23 *Rosci:* see Dict. Biog. He was famous for the *summa venustas* (De Or. I 130) or gracefulness of his acting.

Commoveretur: trans. "deeply affected".

25 *Omnino mori non:* observe the separation of *om.* from *non* by *mori*.

Ergo ille etc.: observe the frequent use in this speech of this particular form of the rhetorical inference, where one sentence complete in itself, and containing an admitted fact, is followed by another containing a question suggesting a negative answer. Cf. 19 (twice) 22, 30. The two sentences are placed side by side (co-ordinated) without any particle to connect them. It is usual to place between them a colon, but the stop is a mere matter of taste, since the two sentences do not in any sense coalesce to form one, but are merely in juxtaposition. Sometimes the first of the two sentences, as well as the second, is in

the form of a question; see n. on 30, p. 32, l. 2. The first sentence often begins with *ergo*, *igitur* or the like, as here, and 22, l. 23, Tusc. II 34 and 41, III 31 and 66.

26 *A nobis:* a rare constr. with *concilio*, but the same as in *impetrare ab aliquo*.

27 *Nos:* this is generally taken to be a contrast not of sense, but of mere rhetorical form, to *ille*. May the contrast not really lie between *nobis omnibus*=all Roman citizens and *nos*=those citizens present at the trial of Archias?

Animorum motus celeritatemque ingeniorum: "mental activity and natural quickness". The plural *motus*, as is the case with many other Latin plurals, can best be rendered by an abstract noun in Eng. The difference between *animus* and *ingenium* is very slight; *a.* here includes mental qualities specially due to cultivation, *i.* those which are the gifts of nature. Cf. De Or. I 113 *animi atque ingeni celeres quidam motus esse debent*. The ancients regarded quickness of movement or change to be the characteristic by which the mind (looked on by all men in Cic.'s time as a material substance) was particularly distinguished from other substances. See especially Tusc. I 53 sq.

§ 18.

30 *Novo:* cf. 3, l. 5 *genere dicendi* etc., and n. on 3, l. 14 *persona*.

Tam diligenter attenditis: "you follow me so closely"; for *dil.* see n. on 9, l. 24.

31 *Cum...scripsisset:* a periphrasis to supply the lack of a past participle active, which would naturally agree with *hunc;* in Gk. γράψαντα.

32 *Agerentur:* the subjunctive is not easy to explain. (1) It may be regarded as limiting the expression *eis ipsis rebus*. Such subjunctives are often introduced by *qui quidem*, *qui modo*, and the like. A striking instance is Acad. I 22 *Academicos, qui tum appellarentur;* see others in Roby's Gram. § 1692. Here, however, it must be admitted that the notion of limitation is very faint. (2) Cic. although he is relating his *own* past experiences, *may* have carelessly put the verb in the subj. as though he were reporting a statement made by some one else. This seems to be the case in 25, l. 20 (*fecisset*) where see n. (3) There may be no other reason for the subj. but the fact that there is another verb (*scripsisset*) in the same mood in the same sentence. Such *attracted* subjunctives are common in Cic.; *e. g.* in De Nat. D. II 4 *quod qui dubitet haud sane intellego cur non idem, sol sit an nullus sit, dubitare possit*, the verb *dubitet* would, but for the other verbs, be in the indicative.

33 *Revocatum:* a term of the theatre; in the slang of the present day, "encored"; so Pro Sest. 120 and 123 *milies revocatum est*.

Eandem rem dicere:=*de eadem re d.* It is necessary to note this, otherwise *commutatis sententiis* will seem to involve a contradiction. So *dicam Alciden puerosque Ledae,—dicam horrida bella* etc.

P. 28.

2 *Accurate cogitateque:* cf. De Or. I 257 *accuratae et meditatae commentationes. Cogitate* occurs apparently only here and in Plautus.

3 *Veterum;* i. e. *Graecorum.*

5 *Sic:* slightly redundant, as often; *e.g.* De Fin. II 13 *Stoici eam (voluptatem) sic definiunt, sublationem animi sine ratione.*

7 *Constare:* "are based upon", as Nep. Att. 13 *domum cuius amoenitas non aedificio sed silva constabat.* Draeger, Hist. Syntax I 515 (who does not refer to our passage), denies that Cic. ever uses *constare* or *consistere* either in this sense or the sense "to consist of" without a preposition (*in* or *ex*). I have been unable to find a parallel, and most probably *et* before *doctrina* ought to be changed into *ex*. The simple abl. often follows *stare* as Acad. II 3 *in eodem tanta fuit aequitas ut hodie stet Asia Luculli institutis servandis.*

Ipsa: n. on 13, p. 26, l. 2.

Mentis viribus excitari: "is agitated by the force of his own mind", *i.e.* by no acquired faculty. *Et* is perhaps explanatory, as in De Or. II 194 *poetam bonum neminem sine inflammatione animorum exsistere posse, et sine quodam afflatu quasi furoris.* For *quasi quodam* n. on 2, l. 21 and for the sense cf. Ovid's *est deus in nobis, agitante calescimus illo.*

9 *Noster:* i. e. *Latinus poeta,* as opposed to Archias, the Greek. Cf. 22, l. 17 and *Ennius noster* in Lucr. I 117; so *Statius noster* in De Senect. 24.

Sanctos: so 31, l. 25, and cf. Ovid. Am. III 9, 17 *at sacri vates et divom cura vocamur, Sunt etiam qui nos numen habere putent,* Ars Am. III 403 *Quid petitur sacris nisi tantum fama poetis?... Cura deum fuerant olim regumque poetae ... Sanctaque maiestas et erat venerabile nomen Vatibus.* The adjectives *sacer* and *sanctus* seem used in these passages without distinction of meaning.

10 *Dono atque munere:* it seems impossible to draw any distinction in meaning between *donum* and *munus.* The phrase is possibly a legal one; in English as in Latin legal phrases repetition is common; *e.g.* "use and wont". The law of Cincius for the suppression of gift-taking was called *lex de donis et muneribus* (De Or. II 286), and the expression *donum munus* (*et* omitted as in *usus fructus, sarta tecta* etc.) was commonly used by the Roman lawyers. Cf. Pro Cluent. 66 *donis datis muneribusque* (of bribes), De Senect. 40 *divino muneri ac dono.*

Esse videantur: Cic. was ridiculed in ancient times for frequently ending his sentences with these words. Quintilian X 2, 18 says that tiros in oratory thought themselves very Ciceronian if they only wound up their sentences with *esse videantur.*

§ 19.

11 *Humanissimo:* "most educated", "most refined"; so 16, l. 13.

12 *Barbaria:* here="want of cultivation"; the abstract for the concrete, the real meaning being "no people, however rude". See n. on *aetas puerilis* (4, l. 21). Cic. often uses *barbaria* for the land in which savages live; occasionally he merely opposes it to *Graecia.* The form *barbaries* is not Ciceronian.

13 *Saxa,* etc.: a passage often quoted by Quintil. with approval; V II 25, VIII 3, 75 ("*sublimius illud*"), IX 4, 44 ("*magis insurgebat, si verteretur; nam plus est saxa quam bestias commoveri, vicit tamen compositionis decor*"), XI 1, 34 ("*illa laetiora*"), XI 3, 84 ("*speciosius uberiusque*"), XI 3, 167 ("*cantici quiddam habent sensimque resupinantur*"). There is a slight allusion, of course, to Amphion and Orpheus. Cf. Verr. V. 171 *si non ad homines verum ad bestias, aut etiam, ut longius progrediar, si in aliqua desertissima solitudine ad saxa et ad scopulos haec conqueri et deplorare vellem, tamen omnia muta atque inanima tanta et tam indigna rerum atrocitate commoverentur.*

15 *Homerum:* the epigram in Gellius' N. Att. III 11 is well known (it is omitted by Hertz in his—the Teubner—text). Ἑπτὰ πόλεις διερίζουσιν περὶ ῥίζαν Ὁμήρου, Σμύρνα Ῥόδος Κολοφῶν Σαλαμὶν Χίος Ἄργος Ἀθῆναι. Cf. also Antipater (probably A. of Sidon) in Anthologia Planudea 296 οἱ μέν σευ Κολοφῶνα τιθηνήτειραν Ὅμηρε, οἱ δὲ καλὰν Σμύρναν, οἱ δ' ἐνέπουσι Χίον, οἱ δ' Ἴον, οἱ δ' ἐβόασαν εὔκλαρον Σαλαμῖνα, οἱ δέ νυ τῶν Λαπιθέων ματέρα Θεσσαλίην· ἄλλοι δ' ἄλλην γαῖαν ἀνίαχον. εἰ δέ με Φοίβου χρὴ λέξαι πινυτὰς ἀμφαδὰ μαντοσύνας, πάτρα σοι τελέθει μέγας οὐρανὸς, ἐκ δὲ τεκούσης οὐ θνατᾶς, ματρὸς δ' ἔπλεο Καλλιόπας.

16 *Suum vindicant:* "claim as their own"; the constr. is, I think, unparalleled for *sibi* or *pro suo vindicant.* For the latter see De Rep. I 27 *pro suis vindicare.* Even if we supply *esse,* the constr. is still remarkable, as the infin. after *vindicare* is only found in late poets, as Lucan. For the change in the verbs *vindicant—repetunt—confirmant* cf. Verr. III 217 *iniuriam queror, improbitatem coarguo, avaritiam in crimen voco.*

17 *Repetunt:* n. on 1, l. 7.

18 *Delubrum:* Strabo XIV 1, 37 ἔστι δὲ καὶ τὸ Ὁμήρειον, στοὰ τετράγωνος ἔχουσα νεὼν Ὁμήρου καὶ ξόανον. μεταποιοῦνται γὰρ καὶ οὗτοι διαφερόντως τοῦ ποιητοῦ καὶ δὴ καὶ νόμισμά τι χαλκοῦν παρ' αὐτοῖς Ὁμήρειον λέγεται.

19 *Ergo ille:* n. on 17, l. 25.

20 *Alienum:* opposed to *suum* above. Homer must be *alienus* to all or all but one of the cities claiming him.

Etiam: qualifies *expetunt,* not *post mortem.*

22 *Praesertim cum:* "and that though". This trans. will suit very many passages, where the stock school rendering—"especially as", will frequently lead the tiro into difficulties.

Olim...contulerit: "A. long ago devoted".

24 *Et Cimbricas res:* this *et* should be followed by another *et* introducing *Mithridaticum bellum*, but the construction is interrupted by *neque enim* etc. and resumed by *vero*. Such slight anacolutha are common in Cic. where *et*, *et—aut*, *aut—vel*, *vel—sive*, *sive—alius*, *alius—alter*, *alter* and the like ought to stand, and the broken construction is generally picked up by *vero* (as in Acad. I 7, where see my n.) *autem*, or the like. [There is a thorough exposition of these anacolutha in Appendix I. to Madvig's edition of the De Finibus.]

25 *attigit:* n. on 17, l. 20.

C. Mario etc.: Sallust Bell. Iug. 85 makes Marius boast of his want of education—"*quae illi litteris ego militando didici* etc." For *durior* "somewhat rude" cf. *duro* in 17, l. 23. *Ad* in the sense "as regards" is especially common after adjectives. So De Leg. II 33 *multa ad veritatem mirabilia;* five exx. occur in one sentence Pro Font. 43.

§ 20.

26 *Aversus a M.:* = ἄμουσος.

27 *Versibus:* so *mandare litteris* (De Or. II 52), *monumentis* (Acad. II 2).

28 *Praeconium:* so *praeconem* 24, l. 7.

29 *Dixisse aiunt:* such a phrase as *dixisse dicunt* occurs, according to Stuerenburg, in one passage only, Pro Planc. 35. [See Addenda.]

Cum quaereretur: Roby, Gram. Bk. IV c. 22 (F), gives a clear classification of subjunctives like this, which he names "subj. of attendant circumstances". They are esp. common in Cic. The following form is frequent, De Or. II 22 *saepe e socero meo audivi, cum diceret.*

30 *Acroama:* "artiste"; the word literally means "a thing heard", and was especially applied to music: so in Suet. Vesp. 19 *vetera acroamata* = old pieces of music, but the word also means a play, dance, recitation, or any amusement of the sort; next the *person* who acts, dances, recites, or in other ways amuses, as here. In Nep. Att. 14 a reader (*anagnostes*) is called an *acroama*, in Pro Sest. 116 an actor on the stage. Cf. Polybius XVI 21 τὰ διὰ τῶν ἀκροαμάτων ᾀδόμενα παίγνια.

Vocem: sc. *cantantis;* the questioner was merely asking which one of the public actors or singers of the day Th. liked best. The story is also told by Val. Max. VIII 13.

31 *Sua virtus*, etc.: Xenophon Hier. I 14 τοῦ μὲν ἡδίστου ἀκροάματος ἐπαίνου οὔποτε σπανίζετε, Memorab. II 1. 31 τοῦ δὲ πάντων ἡδίστου ἀκούσματος, ἐπαίνου σεαυτῆς, ἀνήκοος εἶ.

32 *L. Plotium:* Suet. De Rhet. 2 preserves part of a letter of Cic. which describes L. Plotius as the first to set up a school of rhetoric where declamation was practised in Latin. Cic., then a youth, was prevented from attending by the conservative prejudices of his friends who thought exercises in Greek more valuable.

§ 21.

33 *Mith. bellum:* so called also in Acad. II 1.

P. 29.

1 *Varietate terra marique:* Cic. of Lucullus in Acad. II 3 *tantus imperator in omni genere belli fuit, proeliis oppugnationibus, navalibus pugnis.*

2 *Totum:* as Richter says, this is most likely incorrect; Archias would not sing the praises of Pompey who finished the war, but merely those of Lucullus.

Expressum est: "was treated"; see n. on 30, p. 32, l. 6.

4 *Populus enim R.:* the repetition is emphatic; "it was the Roman people that".

5 *Aperuit:* Liv. XXXVI 17, 14 *Asiam imperio Romano aperturos*, Lucan IV 352 *tradimus Hesperias gentes, aperimus Eoas*, Cic. Pro Imp. Cn. Pomp. 21 (*Pontus*) *qui antea populo Romano ex omni aditu clausus fuisset.*

6 *Regione:* here = "situation"; Halm qu. Ad Fam. I 7, 6 *eam esse naturam et regionem provinciae tuae*, De Lege Agr. II 87 (of Carthage) *cum hominum copiis tum ipsa natura et loco imminere videbatur.*

7 *Non maxima manu:* Tigranes the Armenian king on seeing the army of Lucullus, said (Plut. Luc. 27) εἰ μὲν ὡς πρεσβευταί, πολλοὶ πάρεισιν, εἰ δὲ ὡς στρατιῶται ὀλίγοι. According to Plutarch, Lucullus had only 10,000 men against an army composed of 20,000 bowmen and slingers, 50,000 horse, 100,000 hoplites, and 30,000 others.

9 *Cyzicenorum:* Cic. does not mention the events in the order of their occurrence. Cf. Pro Mur. 33 (the whole of which section should be closely compared with our passage) *fidelissimorum sociorum Cyzicenorum.*

10 *Ore ac faucibus:* war is almost personified here; so πολέμοιο στόμα, Homer Il. X 8, XIX 313; cf. In Cat. III 1 *urbem paene e faucibus fati ereptam.*

Impetu: Pro Mur. 33 *cum totius impetus belli ad Cyzicenorum moenia constitisset.*

11 *Nostra feretur* etc.: "shall be talked of as our achievement won by the contests of L. Lucullus": cf. Verg. Aen. XII 235 *vivus per ora feretur*, De Or. III 214 *quid fuit in Graccho quod tanto opere ferretur?*

12 *Cum* etc.: this clause must be made to follow closely on *dimicante*, in translation.

13 *Depressa est:* = κατεποντίσθη; so often, as Caes. B. C. I 58 *partem navium deprimunt.*

Apud Tenedum: the great battle Cic. means was really fought (B. C. 73) near an islet closer to Lemnos: but it is generally called the battle of Tenedos. So Plutarch Luc. c. 3 πρὸς Τενέδῳ.

14 *Tropaea:* this word, like very many others relating to the sea, was borrowed from the Greek by Latin very early; the great majority of the naval terms used in Latin were borrowed from Greek.

§ 22.

17 *Sepulchro Scipionum:* the famous tomb, the inscriptions on which were partly recovered early in the 17th and again at the end of the 18th cent. and are now in the Vatican. For Ennius' statue cf. Liv. XXXVIII 56, 4 *Romae extra portam Capenam in Scipionum monumento tres statuae sunt, quarum duae P. et L. Scipionum dicuntur esse, tertia poetae Q. Ennii.* A fragment of Suetonius, preserved by Jerome, states that Ennius was buried in the tomb. The custom of making room for friends in the family grave was common among the Romans, but Mommsen (Corp. Inscr. vol. I. p. 12) shews reason for doubting the statement of Suet. Pliny, however, Nat. Hist. VII 114 (a passage not noticed by Mommsen), seems to imply that one of the *tituli* on the tomb made mention of Ennius; cf. also Ovid. Ars Am. III 409 *Ennius emeruit Calabris in montibus ortus Contiguus poni, Scipio magne, tibi.*

18 *Ex marmore:* when the tomb was opened in 1780 two heads of statues were found, one of stone such as is got near Rome, the other of Greek marble.

At eis laudibus: i.e. the praise bestowed by Ennius on Scipio. Cf. *eiusdem laudis* in 24, l. 13.

20 *Huius:* n. on 16, l. 5. Cato the Censor brought back from Sardinia in his train Q. Ennius, then a soldier in the Roman army; see Nep. Cat. I 4.

21 *Rebus:* here = "state", "government". So Acad. II 57 *Deli, salvis illis rebus, i.e.* when D. had an independent government.

22 *Maximi*, etc.: all eulogized in the Annales of Ennius, as commanders, chiefly in the second Punic war.

Omnium nostrum: observe that *nostrum* does not agree with, but depends on *omnium*; lit. "of all of us". [See my n. on Sull. 32.]

23 *Fecerat:* sc. *carmina:* Verg. Ecl. III 86 *Pollio et ipse facit nova carmina;* so 25, l. 19 *epigramma fecisset.* Cf. ποιεῖν, ποιητής.

24 *Rudinum:* of *Rudiae*, a Greek town in Calabria. Ennius received the franchise through M. Fulvius Nobilior, consul of 189 B.C., under whom he served in Aetolia. E. says of himself in a line qu. by Cic. De Or. III 168 *nos sumus Romani qui fuimus ante Rudini.* As Halm points out, there is a contrast between *Rudinum* and *Heracliensem*, *Heraclia* being a far more important place than *Rudiae*.

25 *Civitatibus:* if abl. = "*in* many states", since the abl. of the *agent* cannot follow a passive participle in Cic. without *ab;* nor can the dat. take its place, so that if *civitatibus* be dat. the meaning must be "for, in the eyes of, many states". In XI Phil. 24, where all the MSS have *provinciae multis expetitae* Halm (Orelli ed. II) now inserts *a* before *multis*, and it is not unlikely that the preposition ought to be inserted in our passage. In face, however, of the numerous exx. of dat. after passive participles collected by Draeger, Historische Syntax, I. p. 395, many of which are nearly if not quite as strange as *civitatibus* here (supposing it to be dat.), I do not venture to make any alteration.

[illegible]: = "legally", as 25, l. 15, 19, l. 21. Terence Phorm. IV 3, 21 *legibus [illegible]rum poenas*, and often. Only *one* law was applicable to the case of Archias, viz. that of Silvanus and Carbo.

Constitutum: "settled", "established", as Velleius II 32 *relliquias praedonum in certa sede constituit.*

De: after *eicere* more usually *e*, as De Or. III 11 *eiectus est e civitate*, but cf. Ad Qu. Fr. II 5, 2 *Flaccum de collegio eiecerunt.*

§ 23.

27 *Nam:* often used in Cic. elliptically to introduce an answer to a supposed objection, as Brutus 109 *nam de T. Flaminio nihil accepi nisi Latine diligenter locutum* (*i.e.* "people may wonder I have not mentioned Fl.—the reason is that—"). This use is far commoner in Cic. than in other writers; for *nam* in this use is found *enim* rarely, *namque* never.

29 *Leguntur in gentibus:* so De Leg. II 13 *quae sciscuntur in populis.*

30 *Suis finibus:* at this time Latin had hardly begun (except in Gallia Cisalpina) to supersede the language of the conquered countries, and was spoken only in Latium and the Latin and Roman colonies.

Exiguis sane: "small, you must admit".

Continentur: although *continere* may be followed by the abl. with or without *in*, the passive and *se continere* are always followed by the simple ablative.

31 *Definiuntur:* = *finiuntur;* common in Cic., as Orat. 65 *similiter extrema definiunt.* So *definitus* is often the opposite of *infinitus.* The present tense should be noticed. The reference is doubtless to the great conquests in the East achieved by Lucullus and Pompey, then scarcely concluded. Cf. Pro Balb. 64 *C. Caesar in eis est nunc locis quae regione orbem terrarum, rebus illius gestis imperium populi Romani definiunt,* Pro Sest. 67. For the sense of *regio* = "geographical division" cf. In Cat. IV 21 *Pompeius, cuius res gestae isdem quibus solis cursus regionibus ac terminis continentur;* cf. *ib.* III 26. See also 29, l. 23.

P. 30.

1 *Ampla:* "honourable"; the dat. with *amplum* is common in Livy, as II 9, 4 *Porsinna cum regem esse Romae tum Etruscae gentis regem amplum Tuscis ratus.*

2 *De vita dimicant:* so Pro Sest. I 1 *de capite dimicare,* περὶ ψυχῆς ἀγωνίζεσθαι. So 29, l. 26.

3 *Incitamentum:* not found elsewhere in prae-Augustan or Augustan, though common in silver Latin. I think the word is genuine here, though if Cic. wrote *invitamentum* (a favourite word of his) the change in the MSS would be easy. Another similar word, *inritamentum*, though found in Sallust and Ovid, does not occur in Cic.

Et laborum: notice the collocation of the words in this clause.

§ 24.

5 *Sigeo:* a mountainous district on the N. W. of the Troad, abutting on the sea and forming one side of the entrance to the Hellespont. Here tradition placed the graves of several heroes of the Iliad, Achilles, Patroclus, Antilochus, Ajax. Cf. Fam. V 12, 7 *praeconium quod cum in Sigeum venisset Alexander ab Homero Achilli tributum esse dixit.*

Achilli: see *Appendix* B p. 71.

7 *Et vere:* sc. *dixit*, so that the clause is in form similar to the emphatic repeating clause in passages like Verr. III 152 *tenetur et manifesto tenetur*, V 121 *errabas, Verres, et vehementer errabas.*

8 *Contexerat:* i. e. *priusquam Ilias illa exstiterat.*

9 *Noster hic magnus:* opposed to *Alexander ille magnus.* No doubt the flatterers of Pompey often compared his victories in the East with those of Alexander.

10 *Cum virtute fortunam:* Pro Balbo 9 *in quo uno* (*Pompeio*) *ita summa fortuna cum summa virtute certavit ut omnium iudicio plus homini quam deae tribueretur.*

11 *Contione:* notice that this term is also used for a meeting of citizens at Rome under the presidency of a magistrate acting in his civil capacity. In early times at Rome little distinction was drawn between meetings for military and meetings for civil purposes; thus the term *exercitus* was applied to the *comitia centuriata.* In *form*, and in *theory*, the citizens assembled in the military *contio* conferred the citizenship on a stranger by the same right which they would have exercised had they been assembled for the same purpose in the *comitia centuriata;* in *practice* the citizenship was the gift of the general, and the military *contio* was often not even called together (see Pro Balbo 19). The gift seems to have been very common, and the general cannot always have acted under a law empowering him to grant it, as Pompey did on one occasion (Pro Balbo 19). Practically, the grant seems to have been valid in each individual case until successfully called in question by a prosecutor in a court of law (Pro Balbo 48).

13 *Eiusdem laudis:* sc. *qua Theophanes Pompeium cumulaverat.*

§ 25.

15 *Credo:* ironical; see n. on 10, l. 32.

17 *Hispanos et Gallos:* one Greek of Massilia and one citizen of Gades are mentioned Pro Balbo 50.

19 *De populo:* εἷς τῶν πολλῶν, and so a bad poet. Cf. Brut. 131 *accusator de plebe*, Div. in Caec. 50 *de populo subscriptor*, Brut. 274 *qui non fuit orator unus e multis. De* thus used to express the severance of a part from a whole ultimately drove out the partitive genitive when Latin passed into the Romance languages. In Cic. the use is commonest after such words as *unus, solus, aliquis, nemo, nullus, nihil, nonnulli*, numerals and superlative adjectives (Draeger I 585).

19 *Subiecisset:* as Richter points out = "thrust up from below" to Sulla as he sat on his *tribunal* in the forum (Plut. Sull. 33 ἐπὶ βήματος καθεζόμενος, cf. De Off. II 27 *cum bona civium in foro venderet*) selling the goods of the *proscripti.* Cf. Verg. Aen. XII 287 *corpora saltu subiciunt in equos.*

Quod epigramma in eum fecisset: the clause (supposing *quod* to be a conjunction) cannot give Sulla's *reason* for assigning a reward to the poet, unless we assume that Cic. has written *in eum* for *in se.* He undoubtedly does sometimes put the demonstrative for the reflexive pronoun, but this would be a more violent departure from ordinary usage than can be found elsewhere in his writings, although the irregularity would not be too great for some other writers, as Caesar B. G. I 14 *Caesar respondit...quod eo* (= Caesare) *invito iter per provinciam per vim temptassent* (Helvetii). A better interpretation is to take *quod* not as the conjunction but as the pronoun, making *qu. ep.* an explanation of *libellum* "viz. an epigram which", and to suppose that Cic., although reporting his own experiences, has used a constr. suitable only to the *or. obliqua*—has in fact mixed *or. recta* and *or. obl.* For *in eum=de eo* cf. Tusc. I 84 *Callimachi epigramma in Cleombrotum*, De Or. II 352 *carmen quod in eum scripsisset.* So κατὰ with gen. often = περὶ in Plato.

20 *Tantum modo:* "*nihil nisi disticha: nullum acumen: nulli sales*". Benecke. Apparently the epigram was in elegiac verse.

22 *Ea condicione:* not *sub ea c.* which is not Ciceronian and rare in good writers. Livy has it twice, Tacitus never, acc. to Stuerenburg. It is not uncommon in Suetonius and later writers. For *sed* cf. Plaut. Most. II 1, 12 *dabo ei talentum set ea lege ut...*

Sedulitatem: here = "officiousness". Cf. Horace Ep. II 1, 260 *sedulitas autem stulte quem diligit urget, Praecipue cum se numeris commendat et arte.*

24 *Virtutem:* cf. De Or. I 50 *ubertatem in dicendo et copiam.* Possibly *virtutem* here is an error of the MSS for *ubertatem* which would suit the context much better. Cf. however De Or. I 48 *virtus dicendi.*

§ 26.

26 *Multos:* one citizen of Saguntum is mentioned Pro Balbo 50.

Per Lucullos: their mother was sister to Metellus Numidicus, the father of Pius.

Impetravisset: an apodosis without a protasis; supply *si civis Romanus legibus non esset.*

28 *Cordubae* (Cordova), capital of the province Baetica in Spain, seems to have adopted Latin culture early. The town prided itself on its title of *Colonia Patricia* which it received in consequence of the settlement in its territory of a number of Roman veterans, many of them belonging to patrician *gentes.* The two Senecas and Lucan were born in this town.

28 *Pingue* etc.: cf. De Or. III 44 *cum sit quaedam certa vox Romani generis urbisque propria, in qua nihil offendi, nihil displicere, nihil animadverti possit, nihil sonare aut olere peregrinum, hanc sequamur neque solum rusticam asperitatem, sed etiam peregrinam insolentiam fugere discamus*, Brut. 259 *Cotta sonabat subagreste quiddam planeque subrusticum*, Rep. III 3, Lucr. III 873 *sincerum sonere*. It is more likely that *pingue* means "heavy", "stupid", than "rich", *i. e.* "high-flown", "extravagant", as Halm thinks.

29 *Dederit:* Ad Att. II 14, 2 *vide quibus hominibus aures sint deditae meae.*

32 *Gloria:*=*gloriae studio;* so Tusc. II 46 *pueri ferunt* (*dolorem*) *gloria ducti.*

33 *Illi:* the well-known philosophers who prate most about despising fame—chiefly Stoics and Epicureans. Cic. himself wrote a book De Gloria. The clause *ipsi—inscribunt* is almost exactly repeated in Tusc. I 34.

P. 31.

1 *In eo ipso:* "in regard to that very thing", rare for *in ea ipsa re.*

3 *Nominari:* sc. *se*, a change of construction from *praedicari de se;* cf. Ad Fam. XIII 4, 3 *ut te horter et suadeam* (*i. e. tibi*).

§ 27.

5 *Templorum—monumentorum:* built, as the custom was, out of the spoils taken by Brutus (surnamed Callaecus, consul 138 B.C., conquered the Lusitanians and Callaeci). One was a temple of Mars near the *Circus Flaminius* containing a colossal statue of the god by Scopas (Plin. Nat. Hist. XXXVI 5, 26). Attius (lived about 170—104 B.C.), the great tragic Latin poet.

Iam: the force of this is "now we have got to an example no one can dispute". A good ex. of this use is Tusc. I 2 *iam illa quae natura assecuti sunt* etc.

6 *Fulvius:* surnamed Nobilior, consul 189 B.C.; he was scolded by Cato for taking a poet with him to the seat of war (Tusc. I 3). The word *comite* shews that Ennius was a member of the general's *cohors* or retinue.

7 *Musis:* the temple was near the *Circus Flaminius*, and was apparently dedicated to the goddesses under their Greek, and not under their Latin name (*Camenae*).

8 *Prope:* almost before laying down their arms; *coluerunt:* "have honoured"; *poetarum nomen* refers especially to Brutus. For the contrast between *armati* and *togati* ("in civil attire") cf. Cic.'s famous line *Cedant arma togae, concedat laurea laudi.*

§§ 28—30. **Cicero's private reasons for wishing well to Archias as a poet, and his justification of them. Summary.** § 28. Archias has begun a poem in honour of my great achievements in my consulship. This is the only kind of reward I care for; who would toil as I have

done without the hope of fame? § 29. If we did not look beyond the grave, no one would care to enter on the struggles and anxieties of public life. The hope of fame spurs men on. § 30. Many men have been anxious to leave behind them statues of themselves, representations of their bodies: how much more anxious should we be to hand down to posterity a polished record of our thoughts and character? I at least desire it.

§ 28.

11 *Me indicabo:* Cic. jocularly uses an expression which is strictly said of persons who, having committed a crime, give themselves up to the authorities; so De Fin. I 50 *multi* (sc. *improbi*) *te consule se ipsi indicaverunt.*

12 *Quodam:* indicates that the words *amore gloriae* are stronger than are needed to meet the case.

14 *Vobiscum simul:* slightly pleonastic (as 30, p. 32, l. 1) but common enough, although in such expressions edd. have often wrongly ejected *simul* as Acad. I 4. The senate, equites, and tribuni aerarii, from which three bodies the juries were at this time chosen, sympathized heartily, Cic. often tells us, with his attacks on the Catilinarian party, many of whom were condemned in the courts.

15 *Pro ... et pro ... proque:* cf. Verr. V 8 *cum ... et cum ... cumque.*

Universa re publica: "the general good of the country"; *re* must be taken separately from *publica* and allowed its full force. Cf. In Cat. IV 24 *de summa salute vestra populique Romani ... de universa re publica.*

16 *Versibus:* see Introd. p. 10.

Quibus auditis:=*de quibus* (*versibus*) *cum audivissem; audire, legere aliquem*, are not uncommon phrases for *audire, legere de aliquo.* So Fam. III 10, 11 *te enim, ut spero, prope diem consulem audiemus*, Acad. II 3 *quos legisset.*

18 *Nulla virtus* etc.: so V Phil. 35 (of Brutus) *neque enim ullam mercedem tanta virtus praeter hanc laudis gloriaeque desiderat.*

21 *Curriculo:* Acad. I 44 *brevia curricula vitae*, Pro Sest. 47 *vitae brevem cursum, gloriae sempiternum.*

22 *In laboribus:* the abl. with *in* after *exercere* is far commoner than the simple abl. Halm asks what the difference is in meaning between the two constructions. It is easy to shew that they are not interchangeable, *e.g.* Liv. VI 22, 4 *in captis exercuere victoriam;* here the abl. could not stand alone, nor could it in XI Phil. 8 *exercere saevitiam non solum in vivo, sed etiam in mortuo.* On the other hand, the simple abl. is necessary in such passages as Tibullus II 1, 69 *illic indocto primum se exercuit arcu*, Verg. Aen. III 182 *Iliacis exercite fatis. Exercere* is in the widest sense *to train;* the training may be regarded as being carried on *by certain means or instruments* when the simple abl. follows, or *within certain limits* or *over a certain field*, when the abl. with *in* is used.

§ 29.

22 *Praesentiret in posterum:* the same phrase in Pro Rabirio perd. reo 29; cf. De Sen. 82 *prospicere in posteritatem* "to have anticipations concerning".

23 *Regionibus:* n. on 23, l. 31.

24 *Circumscriptum:* so Pro Rabir. perd. reo 30 *exiguom nobis vitae curriculum natura circumscripsit, immensum gloriae.*

25 *Suas:* for the position cf. *suorum* in 27, l. 5.

Nec—neque: put for *nec—nec* and rare in Cic., although *neque—nec* is very common.

Se frangeret: "would wear itself out"; so Lucr. II 1150 *iamque adeo fractast aetas effetaque tellus.*

26 *Dimicaret:* cf. 23, p. 30, l. 2. The formal nom. to the verb is *animus*, the real nom. the man whose *animus* is in question. So Pro Domo 25 *Cn. Pompei animi dolor subvenit reipublicae = Cn. Pompeius, cum animo doleret.*

Nunc: = νῦν δὲ, "as things are".

27 *Virtus:* "noble instinct".

29 *Non cum vitae* etc.: "that the story of our fame must not be given up to oblivion when the term of life ends". Cf. Verr. V 138 *mei nominis commemoratio*, and for the sense of *dimittendam* Acad. II 11 *ista philosophia quae nunc prope dimissa revocatur.* Note that *commemoratio*, in Cic. at least, *always = praedicatio*, never *recordatio;* cf. II Phil. 51 *commemoratio tui sceleris intermissa est, non memoria deleta.* Forcellini, starting with the mistaken notion that the word properly means *recordatio* (for which he quotes our passage), is obliged to twist it into meaning *cogitatio* in Fam. V 12, 1 *me commemoratio posteritatis* ("the thought that posterity will talk about me") *ad spem quandam immortalitatis rapit.* [I doubt whether the meaning *recordatio* is found in any good writer. None of the passages qu. in the Lexica require it.]

30 *Adaequandam cum:* "must be made co-existent with all future time": for *cum* cf. 24, l. 10.

§ 30.

31 *Parvi:* some edd. *pravi*, but want of ambition is here a proof of smallness of mind, as In Pis. 57 *erat angusti animi honorem dignitatemque contemnere.* The remark of Stuerenburg, adopted by Richter and others, "*absurdum aliquid cogitare pravi non parvi animi est*" is quite beside the point.

Videamur: "are we to let ourself appear?"

32 *His:* n. on *hos* 14, l. 16.

P. 32.

2 *An:* cf. n. on 17, l. 25. The form of the sentence is a little irregular, since *non*, not *nonne* (after the preceding *an*), ought to stand in the second branch, as in Tusc. V 42 and 104. Richter quotes an ex. from De Nat. D. II 17, in a very long and complex sentence. The *an* is really out of place when the first branch of the sentence merely states categorically an admitted fact; it has passed into this form of the sentence from that form in which both the branches contained interrogations.

3 *Studiose reliquerunt:* a condensed expression for *st. conquisiverunt ut relinquerent.*

6 *Expressam* etc.: "moulded and finished"; often used of the fictile or plastic arts, as *expressam in cera imaginem* (Plaut. Pseud. I 1, 54), hence very common in Cic. in metaphorical applications, *e.g.* 14, l. 21, Pro Rab. Post. 4 *cum magnitudine animi tum liberalitate vitam patris expresserat* ("had reproduced"), Acad. I 10 *non verba sed vim Graecorum expresserunt* ("represented" in translation). Remark that *exprimere* cannot be used to denote, like our word "express", the mere fact of talking; so *sententiam exprimere* for *dicere* is not Latin.

7 *Iam tum:* *i.e.* even so far back as that time; so 11, l. 11.

Spargere ac disseminare: both metaphors from tillage. So Pro Planc. 56 *disseminato dispersoque sermoni.*

10 *Partem:* Horace Od. III 30, 6 *non omnis moriar multaque pars mei vitabit Libitinam.*

§§ 31, 32. **Peroration. Summary.** § 31. Whether you look to the modesty of Archias, his talent, or the strength of his case, you must acquit him. You cannot be cruel to a divinely gifted poet, who has eulogised your generals and your successes, but will reverence him as poets always have been reverenced. § 32. I am sure my remarks on the facts of the case have carried conviction with them; and I hope the remarks I have made on Archias' talent and on literature in general have been taken in good part.

§ 31.

13 *Pudore:* "honour", *i.e.* the feeling of honour.

15 *Vetustate:* *vet. amicorum* is an unusual expression for *v. amicitiae* (Acad. I 1). It is very likely that Cic. did not intend *vetustate* to go closely with *amicorum*, for the word is frequently used in a colloquial way without a genitive, as *vetustate coniuncti* (Ad Fam. X 10, 2), *magna vet. intercedit* (*ib.* XI 16, 2).

16 *Expetitum:* cf. 22, l. 25.

17 *Causa eius modi:* parallel to *pudore eo*, *ingenio tanto*, so *eius modi* is treated as though it were an indeclinable adjective, here = *tali* as in 3, l. 13 and Verr. II 187 *aspicimus lituras eius modi quasi quaedam volnera tabularum recentia.* The passage, however, is almost as strange as the well-known one of Tacitus Hist. I 8 *vir facundus et pacis*

artibus. The use of *causa* as a qualitative abl. is noticeable, since *causa* cannot by any stretch be regarded as a quality residing in a man. Stuerenburg quotes a number of passages, among them Tusc. I 85 *Metellus ille honoratis quattuor filiis*, but none so unusual as this of ours.

17 *Beneficio legis:* "the favour conferred by the law"; so II Phil. 56 (where Halm misinterprets the phrase), In Vat. 27 *ut homo consularis spoliaretur beneficio et aequitate legis tuae*, De Leg. Agr. II 61, Acad. II 1 *legis praemio*. For the allusion see 7, for *auctoritate municipi* 8, for *testimonium Luculli* 8, for *tabulis Metelli* 9.

20 *Divina:* see 18, l. 9.

21 *Debet esse:* with this collocation the emphasis is on *esse;* with the other collocation *esse debet*, it is on *debet*. The same rule holds with *esse potest* and *potest esse*. Kühner is wrong when he says (on Tusc. II 110) that *esse potest* is of excessive rarity in Cic., and assigns as a reason Cic.'s desire to avoid the rhythm of the pentameter ending. I have marked every passage in the letters to Atticus in which either *esse potest* or *potest esse* or similar phrases occur, and I find that the two collocations are about equally common. See a n. of mine on Acad. II 22.

23 *Periculis:* really = *nobis vobisque qui sumus periclitati.* For a similar dat. cf. Pro Planc. 50 *quorum dignitati populus Romanus testimonium dedit.*

25 *Ex eo numero qui:* so Cic. nearly always for *ex eorum numero qui*, which according to Stuerenburg only occurs in De Or. II 56. Cf. In Vat. 41 *in illorum numero.* Cic. seems to say *esse ex numero* and *esse in numero* indifferently.

26 *Itaque:* = *et ita ;* common in Cic.

28 *Causa:* here = the bare facts of a case, and the technical legal arguments founded on them ; the more remote considerations arising out of a case are said in the technical phrase of Rhetoric to be *extra causam* (Pro Caec. 94).

29 *Confido esse:* so *spero esse* below. Halm and Richter seem to think *esse* for *fore* inexplicable. The approval or disapproval itself is already passed in the minds of the jury ; to this fact the past infinitive testifies. The *announcement* of the approval is, however, still in the future, and it is to this that *spero* strictly refers. So Ad Att. VIII 3, 7 *est quaedam spes Afranium cum Trebonio pugnasse.*

§ 32.

30 *Quae:* = all that is *extra causam ;* for *fere* cf. *prope* in 3, l. 15.

A mea: = *aliena a mea*, as in the phrase *ab re* = away from the matter. So *from* is used in Shakespeare, as Hamlet III 2, 22 *anything so overdone is from the purpose of playing.* For the reading see *Appendix* B p. 79.

Iudiciali: n. on 3, l. 6. Cf. Brut. 120 *consuetudo iudiciorum.*

31 *Communiter:* = generally about literature, which is Archias' pursuit. The contrast to *com.* is *proprie*, which is unexpressed.

33 *Exercet:* n. on 3, l. 12.

APPENDIX A.

ON SOME ARGUMENTS AGAINST THE GENUINENESS OF THE SPEECH PRO ARCHIA.

The speech has been attacked on two sides, the aesthetic side and the linguistic side. The first line of attack I have noticed, so far as I think necessary, in the Introduction. I now deal with those rare or unique words or phrases which many scholars have asserted not to be from Cicero's hand. Before approaching this subject directly, it is well to observe that the external evidence in favour of the speech is unusually strong. It is quite certain that Cicero did deliver a speech for Archias ; it is also certain that the speech we possess passed for the original speech at least as early as the middle of the first century A.D., and was never questioned till recent times. Moreover, no one can point to a trace of the existence of any other speech, which might be the one Cicero really wrote. The task of proving on internal grounds the oration for Archias to be spurious is therefore far harder than that of demolishing other Ciceronian forgeries, such for example, as the invective against Sallust, which has not a tittle of external evidence in its favour. The reasons founded on the language of this speech must be strong and clear to lead us to reject it.

The expressions in the Pro Archia on which suspicion has been cast are either such as do not occur at all excepting in the speech itself, or such as are not used by Cicero elsewhere, though they occur in other writers of the classical period of Latin literature. Now arguments against the genuineness of a speech based on the rare occurrence of phrases in it are useless unless it can be shewn that the phrases are in their own nature foreign to the genius of the Latin language, or are in themselves such as there is strong reason for believing that the author would not use. The mere rarity of the expressions may be the result of accident. There are numerous ἅπαξ λεγόμενα in Cicero, and some at least in every other author, which

no scholar thinks of suspecting. When the De Republica was recovered, within the present century, it was found that Cicero had actually used many expressions which till then were thought not to be Ciceronian. We must therefore look narrowly into the rare usages in the Pro Archia to see whether they are in themselves objectionable, as well as rare. In the following notes I have omitted all expressions which have been attacked in ignorance by scholars like Schroeter. I shall leave the reader to draw his own conclusions about the amount of suspicion which the language of the Pro Archia casts on its genuineness.

§ 1.

Quoad longissime. In the n. it was pointed out that *quoad* is joined with *longissime* in one passage of Livy, where it is still allowed to stand in the best texts. Undoubtedly *quoad* is elsewhere not defined by an adverb, but in no case is further definition so natural as when the extreme limit of mental or natural vision is to be indicated, and both in Cicero and in Livy (*quoad longissime conspectum oculi ferebant*) this is the case. Stuerenburg points out that we have close parallels in *ut maxime*, and *quantus* joined with *maximus*, as it is frequently in Livy, *e. g.* XXX 25 *quanto maximo impetu possent.* If however the expression *quoad longissime* be still objected to, it would be easy to suppose *quoad* a corruption for *quo*, as it frequently is in MSS.

Vel in primis. Found according to Stuer. in Tusc. III 12 and nowhere else in Latin. Yet *vel* so constantly goes with *maxime* and other superlative adverbs, and *in primis* is so nearly equivalent to a superlative adverb, that no objection can be made to the phrase.

Prope suo iure. These phrases, *suo*, *meo*, *tuo*, *iure*, are probably used elsewhere without any qualifying word such as *prope*. Yet there is absolutely nothing in the nature of the phrase to justify suspicion; its non-occurrence elsewhere must be a mere accident. The meaning is the same as if Cic. had said *prope* or *paene dixerim*. [See Addenda.]

Inde usque. This is also, by accident, a ἅπαξ λεγόμενον, as are the phrases *usque istim* in Ad Att. I 14, 4 and *usque adhuc* in Rep. II 36. [See Addenda.]

Hortatu. This is found only once elsewhere in Cic., viz. Ad Fam. XIII 29, 7, but the word is of perfectly good formation. If it had occurred in any case but the abl. sing., it would have been possible to say at once that Cic. did not write it. Not till Tacitus (Ann. I 70) is any other case found.

§ 4.

Ex pueris excessit. This phrase certainly cannot be exactly paralleled in Latin, but see n. It is perfectly permissible as an imitation of ἐκ παίδων, since Cic. is speaking of a Greek

Ad humanitatem informari. The passages quoted in my n. amply justify the phrase.

Condidicit. MSS *contigit*, which would introduce an unparalleled construction. See n. in *Appendix B.* p. 82.

§ 9.

Tabularum fidem resignasset. Literally "had unsealed (or broken open the seal on) the credit of the records". The question here is this; is this metaphor of a kind which Cic. could not have used? Now the opposite of *resignare* is *consignare*, which is a favourite word with Cic. and certainly such a phrase as *consignare fidem tabulis* is permissible. Again, *solvere*, *exsolvere*, which are synonymous in meaning with *resignare* here, are frequently used in Latin with *fidem*, as in Ovid Fasti I 462 *voti solverat ille fidem*, Liv. III 19, 1; XXVII 5, 6. Further *dissolvere*, *oblitterare*, words similar in literal meaning to *resignare*, are (as Stuerenburg points out) used freely in metaphorical applications by Cic. So is *oblinere*.

§ 11.

Revincetur. Found here only in Cic., but there is no reason to suppose that this is otherwise than accidental.

§ 12.

Litteris a[illegible]iderunt: here only in Cic. is *abdere* found with a simple ablative, b[illegible] enough has been already said about the passage in the n.

§ 14.

Suasissem followed by infinitive, also *obicere* followed by *in* with acc. instead of dative. The comments in the nn. sufficiently justify these phrases.

§ 18.

Inflari. This is in meaning but little different from *excitari* which precedes, as a reference to any good Dict. will shew. The fact that *inflare* is only in this passage used of divine inspiration for *afflare* is clearly accidental. Stuerenburg aptly quotes De Div. I 12 *instinctu inflatuque divino*, as the MSS have it. *Cogitate:* here only in Cic. who, however, has very many adverbs of the kind scarcely found elsewhere.

§ 19.

Suum vindicant: this is unique (see n.) but evidently genuine, as the context shews. It may well be justified as a natural though exceptional variation from *sibi* or *pro suo.*

§ 23.

Incitamentum. See n. *Invitamentum* is an easy correction if *incitamentum* be thought objectionable.

§ 31.

Homo causa eius modi. This is certainly unusual (see n.). In all probability Cic. would not have written it had not *pudore eo, ingenio tanto*, preceded. *Vetustate amicorum:* see n.

APPENDIX B.

ON THE TEXT OF THE PRO ARCHIA.

Any discussion of the relative value of MSS and any full enumeration of readings would be foreign to the purpose of this edition. My intention is not to present a critical apparatus but to use textual discussions so as to promote the exact knowledge of Latin among those junior students for whom the work is designed.

I. *Orthography.*

1. **Compound words.** Most editors of Latin texts err by running together words which ought to be kept distinct. Unless the evidence is clear that the Latins of Cicero's time habitually spoke and wrote two words so as to form one, these words should be kept asunder, and it is better to do so when the practice of the Latins was not uniform. Most of the evidence attainable comes from inscriptions or from the Latin Grammarians, with Priscian at their head. The latter kind of evidence is notoriously untrustworthy, and where it does not receive support from other sources, cannot be valued highly.

a. About *adeo* (§ 13), *quoad* (§ 1), *nisi*, *etenim* (§ 2) no doubt exists.

b. In the following instances it can be shewn from inscriptions that Latin usage varied—*si* or *ne* followed by *quis* and other cases of the indefinite relative, *tantum modo* (§ 25), *non nullus* (§ 1), *in primis* (§ 1). With regard to *in primis*, it may be mentioned that in all ages of Latin prepositions were often run together with the cases they governed, so as to form compounds, but in the Latin of the Republican period at least, the preposition was generally kept distinct.

c. The evidence of the Grammarians in favour of *quemadmodum* (§ 3), *eiusmodi* (§ 3), *iamtum* (§ 11), *etiamtum* (§ 5), *quodsi* (§ 1), *verumtamen* (§ 28) being unsupported, I prefer to write *quem ad modum* etc.

d. If *cur* is really derived from *qua re*, these two words were at one time pronounced so as to form a single compound. But the continued existence of *qua re* seems to point to the fact that the disconnected pronunciation maintained its ground by the side of the other, and looking to the related expression *ea re*, I hesitate to write *quare* in Cic. The separation *tam diu* seems also to imply the separation of *quam diu* (§ 9).

e. *Magnopere* (§ 13), *tantopere* (§ 12) are certainly wrong; cf. *maximo*, *minimo*, *nimio opere*. *Pro consule*, not *proconsule* is regularly found in inscriptions, even in those belonging to a time when the nominative *proconsul* was recognised as a legitimate form. (This nom., like *propraetor*, occurs in one or two inscriptions at and before Cic.'s time, but was probably not accepted by him.) With regard to *res publica* (§§ 5, 28) the analogy of many expressions like *res militaris*, *pecuaria*, *uxoria*, *familiaris* etc., is in favour of the disconnected form of writing. *Res familiaris* is so often contrasted by Cic. with *res publica* that he must have felt the words to be distinct. Cf. also Ad Att. IX 7 *res privatae—res publica* and Ad Fam. I 8 *rei totius publicae*. The phrase *ius iurandum* (§ 8) is altogether uncertain. Plautus has *iurandum ius* (Pseud. I 2, 63).

2. *Inflexional forms.*

a. **Genitives of nouns in -ius, -ium.** *Ingeni* (§ 1), *iudici*, *municipi* (§ 8), *Appi*, *Gabini*, *Licini* (§ 9), *exsili* (§ 14), *Rosci* (§ 17), *Atti* (§ 27), *imperi* (§ 28). So strong and clear is the evidence in favour of these forms in Cic. and against the forms with *-ii*, that it is astonishing to find editors, on mere MSS authority, retaining *-ii*. This form was first brought into use in Latin literature by the elegiac writers Propertius and Ovid, and never drove the other entirely out of the written or spoken language. Full materials for studying the matter may be found in Corssen, Aussprache ed. 2, II 705, Neue, Formenlehre I 85 sq. ed. 2. How little value is to be attached to the MSS in such a matter may be seen from the fact that the best of them sometimes give the form in *-ii* where the metre imperatively requires the form in *-i*.

b. **Accusatives plural of -i stems.** *Auris* (§ 5), *Locrensis* (§ 10), *gravis* (§ 15), *innumerabilis* (§ 21), *omnis* (§§ 14, 29). It can be clearly shewn (see Corssen I 743) that in Cic.'s time usage varied between the forms *-īs* and *-ēs*, but it is also clear that *-is* was the regular and *-es* the exceptional form, so that by adopting the former we can make certain of getting nearer Cic.'s actual writing than by adopting the latter, as most editors do.

c. **Genitives of Greek names in -ēs.** *Achilli* (§ 24). The evidence in favour of this form in Cic. and against the genitive in *-is* is so strong, and MSS are so likely to have corrupted the *-i* form into the *-is* form that I should not hesitate to adopt the former generally. Madvig (n. on De Fin. I 15) strongly inclines to this view, but feels bound to bow to his MSS.

d. **The termination -um in nom. and acc. of o-stems, when u or v precedes.** *Exiguum* (§ 1), *suum* (§ 7), *vivum* (§ 19). There is great

probability that Cic. always wrote *exiguom suom vivom reliquos* (for *reliquus*) etc., but to adopt this spelling everywhere would perhaps give established habit too great a shock. The Latins before the end of the Republican period found *uu*, *vu* difficult of pronunciation, and therefore as a rule retained the *o* of the stem after *u* and *v*. For the facts see Neue I 66 sq.

e. **Various forms.** *Ei*, *ii*, *eis*, *iis*. Such high authorities as Ritschl and Fleckeisen totally reject the forms *ii*, *iis*. It is extremely probable that Cic. wrote *ei*, *eis*, possibly even *īs*. On the whole it is safest to read *ei*, *eis*. So *eisdem* or *isdem* should be written, not *iisdem*.—*Sapientium*, *excellentium* (§ 14). Authority is against the forms in *-um;* see Neue, II 80 sq. ed. 2. *Honos* (§ 22) is right in the text of Cic. (as in that of Livy) not *honor;* see Neue I 169, ed. 2.—*Si quae* (fem. sing. in § 1, neut. plur. in § 11). The passages in the good MSS of Cic. where *si quae* occurs are on the whole more numerous than those which shew *si quă;* when therefore we consider the temptation under which late copyists laboured to alter the rarer into the commoner form, it is clear that by writing *si quae* in any particular passage we are more likely to be right than wrong. Two of the best MSS have *si quae* in § 11.—Syncopated tense forms (*approbarunt* in § 24 but *dedicaverunt* in § 19. So *existimarunt*, *donarunt* (§ 5), *audisse*, *interisse* (§ 8), *resignasset* (§ 9). Latin usage varied so much, that the only thing to be done is to follow the best MSS; Neue II 516 sq.

3. **Orthographical variations not commented on above.**

§ 1. *Ceteris*. This form is alone right. The form *caeteris* has no authority whatever, and sprang out of the once prevalent delusion that *ceteri* was borrowed from the Greek καὶ ἕτεροι. See Fleckeisen, Fünfzig Artikel aus einem Hülfsbüchlein für Lateinische Rechtschreibung, Frankfurt 1861.

§ 2. *Vinculum*. The form *vinclum* is probably poetical.

§ 3. *Cum* for *quum* should be read everywhere in Cic. See Corssen I 73—*Littera* is better than *litera;* Corssen I 176.—*Paulo* or *paullo?* No decision can be given from MSS readings which vary continually. But a wellknown passage in Cic. Orator 153 seems to me to shew conclusively that Cic. wrote *paulo*—"*quomodo enim vester* Axilla Ala *factus est, nisi fuga litterae vastioris? quam litteram etiam e* maxillis *et* vexillo *et* pauxillo *consuetudo elegans Latini sermonis evellit.*" Cic. evidently assumes that the four words *Axilla*, *maxilla*, *vexillum*, *pauxillum*, correspond to the four *Ala*, *mala*, *velum*, *paulum*.—The form *aput* is given by many MSS and was probably employed by Cic. when the succeeding word began with a tenuis, or *s*.

§ 4. *Adsciscendum;* so in § 6 *adscribi*, § 9 *adservatae*, § 12 *adspectum*, § 24 *adstitisset*. It is impossible to lay down rules for the insertion or omission of *d* in *ad* before succeeding *s*.—*Affluenti;* so § 5 *affuit*, § 6 *afficiebatur*, § 12 *afferre*. It seems certain that the Latins objected to the sound of *d*, *b*, before *f*.—*Exspectare;* so § 14 *exsili*, § 15 *exstitisse*. Usage in these words probably varied, but the form *exs-* preponderated.

§ 5. *Vehementius:* this form is earlier in Latin literature than *vementius*, and was probably used by Cic., though our MSS often give the latter. *Neglegebantur* and § 9 *neglegentius*, § 17 *neglegemus* are right (and found in some good MSS of this speech) not *negligebantur* etc., so *intellego* not *intelligo;* see Fleckeisen p. 19. *Regini*, here and § 10 is the spelling of the best MSS which is amply confirmed by inscriptions, which shew *Regium* not *Rhegium;* Fleckeisen p. 25. *Maximas:* one good MS gives *maxumas* here and *proxumis* in § 11. Usage varied and whether *i* or *u* was written the sound was one which lay between *i* and *u* and coincided with neither (Corssen I 331). *Adulescentiae*, and § 19 *adulescens*. These forms have far more authority than *adolescentia* etc.; Corssen II 138.

§ 8. *Heracliae*, *Herakliensem;* so the MSS throughout the speech, not *Heracleae*. The termination -εια in the names of Greek towns is more often represented by *īa* in Latin than by *ēa*.

§ 9. *Optinent:* this spelling is so often given by good MSS (one has it here) and inscriptions, and is so likely to have been altered by late scribes, that I adopt it.

§ 10. *Scaenicis:* the true form, not *scenicis* (Corssen I 325). Probably Lat. *ae* was nearer in sound than Lat. *ē* to the sound of η. *Eicietur*, *eiciemus* (§ 22) not *eiicietur* etc.; so *ādicio*, *ābicio*, *cōnicio;* Munro on Lucr. I 34. The *ă* of *iacio* sinks to (vowel) *ĭ*, the *i* (consonantal = *y*) falls out in the compound, and the preceding syllable is generally lengthened in compensation, if not long already. One of the best MSS has *eiciemus* in § 22. Baiter curiously writes *eiiciemus* there but *reicietur* here.

§ 12. *Convicio;* with this take *otium* (§ 3), *solacium* (§ 16), *contio* (§ 24 where one of the best MSS has *t* not *c*), *condicio* (§ 25). All these words are spelled in MSS sometimes with *c* sometimes with *t*. In the age of Cic. and for centuries after *ci* (*ki*) was sounded very differently from *ti*, but the writers of our MSS sounded them very much alike and capriciously substituted one form for the other. Thus some of the best MSS of the Pro Archia write in § 10 *Gratia* instead of *Graecia*, and *imperciebant* for *impertiebant*. The spellings *concio*, *ocium*, *conditio* also *ditio*, *solatium* (see Fleckeisen) are now all but universally admitted to have no warrant, though Bait. and Halm often still write *conditio* (as in § 25) in obedience to the MSS. The word *convicium* presents difficulty, as does *suspicio*. While the bulk of MSS authority is in favour of *convitium*, some of the most ancient and precious give *convicium*, which also finds support in utterances of the grammarians. Much the same may be said of *suspicio*. It is admitted that if *convitium*, *suspitio* be true forms they must have come from the roots *vak*, *spak*, through the forms *convic-itium*, *suspic-itio* or *suspectio*. But in that case it is impossible, in accordance with the phonetic laws of Latin, to account for the disappearance of the *c*. *Suspicio*, *convicium* must therefore be adopted. See the evidence in Corssen's Beiträge p. 15 sq. and Fleckeisen's Fünfzig Artikel.

§ 12. *Cottidie;* § 14 *cottidianos.* These forms have far better authority than either *quotidie, quotidianus,* or *cotidie, cotidianus.* The spelling *quotidie* was probably first introduced by etymologizing grammarians; cf. Quint. I 7, 6, Corssen I 175.

§ 15. *Inlustrem* or *illustrem?* So § 16 *impediunt* or *inpediunt?* § 19 *immanes* or *inmanes* etc.? Latin usage varied so much that the best MSS are our only guides.

§ 18. *Quotiens* not *quoties,* which has little authority. So *totiens* (§ 29).

§ 19. *Unquam* or *umquam?* The change of *m* to *n* before *qu* seems to be later than Cic., therefore *umquam* is the preferable form; Corss. I 262.

§ 22. *Sepulchro.* The *h* is an intruder due to that popular tendency to misplace aspirates which appears in the history of all languages. See Roscher in Curtius' Studien II 145. The form is thoroughly well attested.

§ 22. *Caelum* not *coelum,* which is absolutely destitute of authority, and arises from the delusion that the Latin word is a mere transcription of the Greek *κοῖλον.*

§ 24. *Mitylenaeum.* The name of the town is found in both forms, Μιτυλήνη and Μυτιλήνη, so Latin MSS sometimes give *Mity-*, sometimes *Myti-*.

§ 27. *Atti.* The name of this poet is often written *Accius;* I know of no means whereby the right form may be determined.

§ 28. *Incohavit.* This seems the best spelling of this singular word; cf. Roscher in Curtius' Studien II 148. The root seems *cav-* from which came an old adjective *co-us* for *covus,* another form of *cavus.* Through vulgar aspiration the *h* sprang up between the vowels; hence *incohare,* literally "to make a hollow in a thing".

II. *Variations in the Text other than orthographical.*

There is no existing MS of a Classical author which does not contain numerous errors. The consideration of these errors and of the corrections which scholars have proposed, is instructive to the student who wishes to get an accurate knowledge of the Latin language. Instead of enumerating in succession as they occur in the speech such errors and corrections as our present purpose requires us to notice, I will classify them in groups, in the hope of rendering these textual discussions less distasteful than they are commonly felt to be by younger students, in England at least. The reasons for preferring one reading to another are often contained in the notes already given. When that is the case they will not be repeated here. The variants are taken from Baiter's recension in Baiter and Halm's edition of

Cicero's speeches (in Orelli ed. 2). The chief authorities followed by Baiter are (1) G ("*Codex Gembiacensis nunc Bruxellensis*"), a parchment MS assigned to the XIIth century. (2) E ("*Codex Erfurtensis nunc Berolinensis*"). (3) P ("*Lectiones a P. Pithoeo ad margines exempli editionis Lambinianae a.* 1581 *quae exstat in bibliotheca Heidelbergensi adscriptae*"). (4) S ("*Scholiastes Ambrosianus ap. Ang. Maium Class. Auctt. e Vatic. codd. edit.*" II p. 237).

a. **Words, syllables, and letters dropped out and supplied by editors.**

Omissions frequently occur in MSS when a word is repeated, and the eye of the transcriber has passed on from the first occurrence of the word to the second, dropping the words that lie in between. Of this source of error we have some excellent examples in the MSS of the Pro Archia. Thus in § 10 the word *modo* occurs twice over; P therefore omits the words from *post civitatem* to *aliquo modo* inclusive. In § 12 *animos* occurs twice, so E and P omit the words *doctrina excolamus aut ferre animos.* Again, in § 15 *sine doctrina* is repeated; E and P leave out from *naturae ipsius* to *sine doctrina,* while P is further deceived by *doctrinam* a little lower down, and passes over everything till the next sentence, beginning *atque idem.* In § 11 E has been misled by the repetition of *Romanorum,* and neglects the words from *iure esse* to *civium Romanorum.*

Sometimes slight resemblances between successive words have caused one or other to drop out. Thus G E P omit *ante* after *annis* in § 9; the *praenomen* of Lucullus is not given by the MSS in § 21 *L. Lucullo imperante,* but must be supplied, because in the numerous passages where this general is spoken of by Cic. the *praenomen* is nearly if not quite always given. So M. has dropped out before *Catonem* in § 16.

Small words—pronouns, conjunctions, prepositions and *est,* are very apt to disappear. Thus E omits *mihi* in § 4, *hic* in § 11, while P does not give *nobis* in § 18. *Cum,* corresponding to *tum,* has vanished in E (§ 5) and in P (§ 6). No words so frequently disappear as *et* and *que,* so *et* before *aut* in E (§ 10) and *que* after *colendam* (§ 16) in all the MSS. The last example is important, because it is well ascertained that in Cic. at least two nouns, adjectives, participles, or adverbs, cannot stand side by side without the copula unless they distinctly form pairs, like *manibus pedibus.* So in Acad. I 23 *multorum magnorum,* I 16 *varie copiose* are rightly altered by edd. though where *three* words are strung together the copula is constantly omitted, as in Acad. II 63 *memoriter, accurate, copiose.* Prob. *in* ought to be inserted in 7 l. 27 and 12 l. 27; see nn. *Est* was easily dropped out, because it was written *st* and closely attached to the preceding word; if that word ended with *s,* the single letter *t* was the only sign of the presence of *est.* Cic. very rarely uses a passive or deponent participle without *est* for the perfect tense of the verb; hence most edd. (though not Baiter) have rightly restored *est* after *classis* in § 21, and I have thought right to restore it in § 9 after *professus.* In § 13 edd. read *in me est,* though MSS omit *est,* because the substantive

verb *esse* is seldom or never left out by Cic. I also write *est* after *virtutis* in § 5, see p. 78.

Single letters also are frequently neglected by the transcribers of the MSS. Thus § 1 *si qua* for *si quae* (note that the following word begins with *e*); so in § 31 and in § 32 E has *qua* for *quae*, E P *qui* for *quid* at beginning of § 26. T has fallen out in § 21 where G E P have *naturae regione* for *natura et regione* (this restoration by Mommsen is better than *natura regionis* which Baiter gives); cf. *praetexatus* in E for *praetextatus* (§ 5), and see my remarks on the reading *gratuito gravat* in § 10, below. *M* and *n* are often dropped; so § 28 *nulla* for *nullam* in G E; § 9 *Gabii* for *Gabini* in P. *R.* was written as an abbreviation for *Romani*; so G misses out that word altogether in § 31.

A specimen of mere carelessness is the omission of *petimus* by G in § 31; also *petere* in E (§ 1) for *repetere.*

b. **Words, syllables, and letters inserted by MSS and omitted by editors.**

One of the most frequent sources of corruption was the practice of writing words on the margin. If the transcriber missed out a word and found out the omission, he frequently wrote in the margin the omitted word. But the margin also frequently contained *explanations* (glosses) on difficult words in the text; sometimes also mere reflexions on passages in the text made by the transcriber or his predecessors. Sometimes a transcriber finding these glosses or comments on the margin, fancied that they belonged to the text, and had been written at the side because his predecessor had missed them out. So he inserted them in the text. A good instance of a gloss is found in § 20 where *quod acroama* is followed by *qualia carmina* in E; evidently originally an explanation written at the side. In § 10 we have a singular string of mistakes. On the words *civitatem in Graecia impertiebant*, some scribe wrote the marginal comment *gratuito*, meaning that the citizenship was conferred for no particular reason, without justification. This word crept into the text. Then the first *t* of *gratuito* was dropped, cf. exx. of *t* omitted above, and the scribes turned the word into *gravat*. Later scribes finding *gratuito* in some MSS, wrote at the side or between the lines *uel gratuito*, or *gratuito* merely, meaning "or the reading may be *gratuito*". The remark *vel gratuito* is found over the line in G, but is introduced into the text in E, which reads *vel gratuito gravat*. There are scores of passages in the MSS of Cic. where the word *uel* introduces a variant which has wrongly found its way into the text. P has *gratuito gravat* without *vel.* Stuerenburg rightly rejected the words altogether. A still further corruption is due to this word *gratuito*. In E after *noluisse* at the end of the sentence the words *sed credendum est* are oddly introduced. In some copy after the word *gratuito* the words *sed credendum est* were written on the margin. The whole comment then meant, "they gave the citizenship for no particular reason, but still we must believe they did so". The words *sed credendum est* being a little displaced came opposite *noluisse*, when the copyist of E or one of his predecessors inserted them in the text.

The copyist of G, having had to write *quotiens ego* twice over in § 18, inserts *ego* after *quotiens* when it occurs for the third time. So G E in § 23 after writing *quo* are misled into adding *minus*, owing to its similarity to the succeeding word *manuum*. In E after *tamen* in § 25, *non* is added. Negatives are inserted and omitted with extraordinary frequency in the MSS of Cic. In § 11 *ita* before *se iam tum* seems to have arisen from the mistake of writing *sit* after *census* as well as before. Examples of syllables added owing to a partial doubling, are *deduxerit* for *duxerit* (G E in § 25), *habitatu* for *habitu* (G in § 15), *agitatur* for *agatur* (S in § 3, where Stuerenburg's defence is futile).

The single letter *t* is added by E which gives *Archita* for *Archia* in the title of the speech and in § 18 (cf. *censitam* given by the *editio Ascensiana* of 1511 in § 11 for *censam*, or rather for *censeam*, which all Baiter and Halm's authorities have). The MSS have *Gratti* for *Grati* in § 12, for which G E P have *Gratis* in § 8. [Proper names get terribly mangled in the MSS. Thus § 7 *Sillani* or *Silani* for *Silvani*, in § 16 *Affricanum* for *Africanum* (so § 22), § 19 *Smirnii* for *Smyrnaei*, § 20 *Clodium* for *Plotium*, § 22 *rudem tum*, *tu*, or *tamen* for *Rudinum*, § 27 *etiolis emio* for *Aetolis Ennio*, § 24 *illi ars* for *Ilias*]. Other exx. of inserted letters are *nec* for *ne* (P in § 2, G E in § 11), whereby the un-Ciceronian *nec-quidem* is introduced, *reicietur*, for which I write *eicietur* in § 10, *accenderet* for *accederet* (E in § 14, see n. on the passage), *ergo* for *ego* (G E in § 15; this change is very common), *oratio* for *ratio* (P in § 15). A curious instance of insertion is found in § 20, where E turns *cuius* into *cuivis* (*cuiuis*) by adding *i*.

c. **Verb-forms confused.**

This class of corruptions is exceedingly common, and requires cautious treatment by editors. Several of the commonest corruptions of this class are represented in the MSS of the Pro Archia. (1) Imperf. indic. act. of 1st conjugation confused with present: § 4 *celebrantur* for *celebrabantur* in E. Stuerenburg and others vainly defend the present as a historical present. The whole syntax of the sentence would then be un-Ciceronian. (2) Fut. ind. of 1st conj. confused with pres.: *repudiamus* for *repudiabimus* in § 19. The pres. is quite out of place, as the event is one which Cic. would only contemplate hypothetically in the future. (3) Pres. subj. of 1st and 2nd conj. confused with pres. ind.: § 8 *desideres* for *desideras* in P; also § 10 *dubitatis* for *dubitetis* in G E, § 18 *videntur* for *videantur* in E. (4) Pluperf. ind. of 3rd conj. confused with fut. perf. ind. or perf. subj.: § 24 *inveneras* for *inveneris* in G E P. (5) Perf. ind. of 2nd conj. confused with present ind.: § 25 *uidemus* for *uidimus* in G E, which Stuer. perversely supports. (6) Pres. subj. of 3rd conj. confused with fut. ind.: § 22 *eiciamus* for *eiciemus* in G. It is often peculiarly difficult to choose between these forms. *Eiciamus* might very well stand here; cf. § 19 *moveamur* in a very similar sentence. (7) Singular confused with plural: § 23 *continet* in E for *continentur.* (8) Passive confused with active: § 23 the passage just quoted, and § 25 *donaret* in E for *donaretur.*

d. **Other instances of MSS readings justly neglected by editors.**

§ 2. Lambinus rightly read *huic uni* for *huic cuncti* or *huic cunti*. First *huic* was written *huice* (a form Cic. does not use), then a *t* was inserted in *uni* (cf. p. 77) which led to *cuncti*.

§ 3. *Rectissimum* is in S, and I prefer it to the reading *lectissimum* of other authorities, because the notion of "sternness," "uprightness" suits better than the notion of "choiceness" the whole run of the passage, and especially *quaestione legitima—iudicio publico—praetorem populi Romani—severissimos iudices*.

§ 4. *Condidicit*. So I conjecture for *contigit*. *T* and *d*, *c* and *g* are constantly confused in MSS. *Condidicit* might easily pass into *condicit*, *contigit*. In the whole sentence Cic. is speaking of Archias' education. *Condidicit* implies that this education *resulted in* his surpassing his fellow-students. The objection to *contigit* is that it is never followed by the infinitive in Cic. but always by *ut* with subjunctive. Hence Lambinus read *ei ut antecelleret*.

Cunctaque Graecia. MSS have *cunctaeque Graeciae*, but the expression *partes cunctae Graeciae* for *cunctae partes Graeciae* is impossible.

Admiratio. MSS *admirationem* by mere attraction from *exspectationem* above.

§ 5. *Eum domum*. P has *in d.* but the phrase *in d. accipere* is very doubtful in Cic.

Sed etiam hoc etc. MSS read *virtutis ut* for *virtutis est*. If this were written *virtutist* the transition to *virtutis ut* would be easy. Also *domus* for *domum;* this I believe to have been an alteration consequent on the reading *esset* for *esse*, the MSS having inserted *t* as in the exx. already given (p. 77). MSS have *prima fuit*, the difference between this and *prima affuit* is slight. I also give *eandem* for *eadem* of MSS and *familiarissimam* for *familiarissima*. I believe the cardinal error of the transcribers was writing *esset* for *esse*, which caused all the other alterations.

§ 6. *M. Lucullo:* MSS L. but in § 8 M. which is far more likely. Lambinus read *Ciliciam* for *Siciliam*, to suit the career of L. Lucullus.

§ 8. *Tu eum:* Halm for MSS *tum*.

§ 9. *Tabulis:* E P oddly have *talibus;* cf. § 10 *cui* for *huic* (P). *Nulla in litura nomen:* so Mommsen for *nullam lituram in nomen*. This correction is better than *nullam lituram in nomine*, because it is more likely that Cic. would speak of the name being written over an erasure, than of an erasure being visible in the name.

§ 11. *Eis temporibus...quem:* MSS *quae* which is impossible for *quibus eum*, which the sense would require.

Pro consule: an old correction for E *praetore consule*, G. *p. r. et consule*, P = *PR consule*, most edd. *praetore et consule*. The *o* in *pro* was accidentally dropped, and as *pr.* was a contraction for *praetor*, further error was easy.

§ 12. *Homine:* E curiously *nomine*.

§ 15. *Est certum quid:* MSS *quod* which may just possibly be right, though it is not likely.

§ 16. *Animi remissionem:* MSS *animadversionem*, which makes no sense. *Alunt:* MSS *agunt*, which cannot mean "promote", "advance", as edd. used to interpret it. Al. *acuunt*.

§ 21. *Efferuntur:* MSS *haec feruntur*, which many scholars suppose to point to an old form *ecferuntur*.

§ 22. *Ex marmore. At eis:* MSS *e* or *et marmoratis*. The correction is old, except *ex* for *e*.

§ 23. *Eodem:* G oddly *eandem*.

§ 24. *Fortunam:* E *forte* owing to the ending of *virtute*.

§ 25. *Sed ea condicione:* MSS *sub;* see n.

§ 26. *In eis:* so Madvig for *illis* (without *in*), rightly, as the dative would not follow *inscribere* in Cic. Moreover Ammianus Marcellinus quotes the passage with the reading *in his*.

§ 27. *Togati:* G E *locati*.

§ 28. *Huiusce:* so some MSS, though most have *huius aeque* or *atque*.

Adhortatus sum: so E, but G has *adortavi*, P *hortavi*, whence Klotz followed by Baiter and Halm *adornavi*. I cannot believe this right; *adornare aliquem ad aliquam rem* in the sense "to equip a man for a particular thing" cannot be Latin. The reading *adoravi* which is common, is still worse. I think we have a transition in G and P from a deponent to an active form, similar to the transitions from passive to active quoted on p. 77.

§ 30. *Aliquam mei:* many MSS *aliquam animi mei*, evidently absurd.

Parvi: E *pravi;* see n.

§ 31. *Vetustate:* many MSS oddly *venustate*.

Estque ex: Madv. rightly for *isque est*.

Tanto quantum: MSS mostly *quanto*, an impossible attraction.

§ 32. *Quae fere a mea iudicialique:* so I write for MSS *quae ferme* (or *firmo*) *a me iudicialique*. For meaning see n. Sweeping alterations have been introduced by many edd.

e. **MSS readings wrongly departed from by editors.**

From want of a full knowledge of Ciceronian Latinity, the earlier editors often gave the preference to inferior readings, or introduced alterations into the text from mistaken ideas concerning the Latin of Cicero. Many of these readings kept their place in the text almost down to the present time; not a few of them are still retained in the text now most widely used, the Teubner. A few of these readings are mentioned below, with some unnecessary corrections of recent editors. My notes have already given in many cases the reasons for rejecting these readings.

One class of changes deserves special mention. Old editors were very fond of altering the collocation of words to suit their own ideas of

order or euphony. Thus Lambinus has § 6 *Pio eius filio*, § 17 *tam agresti animo* (where see my nn.). Also many less important changes, as § 6 *longo satis*, § 15 *laudibus effers*, ibid. *solere exsistere*, § 20 *praeconium facile*, § 29 *vita ipsa*, § 31 *fidem accipiatis*.

The other readings I notice in order.

§ 1. *Possumus.* This has better authority than *possemus* which nearly all edd. write. The subj. is good, but by no means necessary. § 2. *Ratio aut:* Lamb. *ac;* see n. § 8. *Huius......venerunt:* Lamb. puts *qui* before *huius;* Mommsen ejects *venerunt*, but see n. *Ascriptum Heracliensem:* Lamb. *ascriptum Heracliae esse*, but the omission of *esse* after verbs of thinking, speaking, etc. is common in Cic.; cf. n. on p. 27, l. 13 *liberalissimam iudicaretis.* § 9. *An domicilium:* so MSS, but many edd. read *At* removing the note of interrogation, and making the sentence a statement by Cic. of an objection brought by his opponent. But the question suits § 8 *Heracliaene etc.* better, and the objection is not one likely to have been made by Gratius. Many edd. omit the note of interrogation after *habuit*, but the whole passage has more point if *is qui—collocavit* be made a question containing the answer to the former question. Lamb. altered *Romae* into *in Italia* to suit § 7. *An non est professus:* so E P, but Bait. again reads *at* with other MSS. The arguments already given tell against this *at* also. For *an non* answered by *immo* cf. Ad Att. IX 7, 4. § 10. *in civitatibus:* the *in* is necessary, though omitted by Lamb. *Impertiebant:* Orelli ed. 1 wrote *impertiebantur*, a deponent verb foreign to Cic. § 11. *revincetur:* Lamb. *convincetur:* see p. 69. § 12. *A nullius:* Orelli ed. 1 *ab*, a total mistake, as is his *abfutura* for *afutura* in § 30. § 13. *alveolo:* many edd. *aleae;* see n. § 14. *suasissem:* Lamb. *persuasissem;* see n. *Obiecissem:* Halm *coniecissem;* but there is scarcely any verb ordinarily taking a dative which Cic. does not occasionally use with *in* and accusative. § 16. many edd. *modestissimos* for *moderatissimos.* § 17. *nos animorum:* al. *hos;* see n. § 18. *atque sic:* Lamb. Or. ed. 1 *atqui;* but an adversative particle is out of place. *Inflari:* Lamb. *afflari;* see p. 69. *Perveniret:* L. needlessly *pervenirent.* § 19. *suum vindicant:* L. *ut suum;* see n. *Delubrum eius:* L. *ei*, but *d. alicuius dedicare* is quite as good Latin as *d. alicui d.* § 21. *servatam:* L. *conservatam.* *Quae quorum;* L. Or. ed. 1 needlessly *quare quorum.* § 26. *praedicari de se.* L. omits *de*, but *de aliquo praedicare aliquid* is common enough. § 28. *in laboribus:* L. om. *in;* see n. § 29. *dimittendam:* the phrase *dimittere commemorationem nominis cum vitae tempore* seems sensible enough but is suspected by Orelli ed. 1, altered by L. into *dimetiendam* by Bergk into *dimetandam;* but what sense is there in speaking of "measuring out the fame of a name parallel with the duration of a life"? § 30. *An statuas:* L. *an cum*, a mistake; see my nn. § 31. *cum dignitate tum:* L. Or. 1 *tum...tum*, apparently from a notion that the phrase is better than *cum...tum.* The only difference is that *cum* throws *dignitate* into greater prominence than *vestustate*, while *tum...tum* would leave both words equally prominent. *Summorum:* L. *as.*; see n. *Ingeniis: negotiis* is an inferior variant adopted by L. Or. ed. 1, so *laudum* for *laudis* below. *Itaque:* L. Or. *etque*, though *itaque = et ita* is very common.

ADDENDA.

p. **6**, footnote 2. The name *mimus* is Greek, but the Italian *mimus* originated independently of the Sicilian Greek *mimus*, which probably owed much to Italian influences.

p. **7**, l. 16. M. Terentius Varro. The fact here stated is commonly accepted, but is not positively attested, and the ages of the two men cast doubt on it.

p. **7**, l. 25. The ages of the Luculli cannot be definitely fixed. They were probably mere children when their father was condemned, and Archias was most likely their tutor. Eight or ten years probably elapsed between the arrival of A. in Italy and the expedition to Sicily.

p. **8**, l. 21. So the *rogatio Fulvia de civitate sociis danda* contemplated the possibility of some communities refusing the citizenship. The citizens of such cities were to be allowed the *provocatio* as though they were Romans. There is a similar provision in the *lex Acilia.*

p. **9**, line 17. Greeks on becoming Roman citizens usually retained their original name as a *cognomen;* cf. *e.g.* Fam. XIII 32 and 35; Verr. IV 37.

p. **12**, l. 16. Add the case mentioned in Balb. 52.

p. **12**, l. 26. So in 122 B.C. the consul C. Fannius Strabo ejected the Latins by edict, at the instigation of the senate. The *lex Papia de civitate* has sometimes been confounded with the later and more famous *lex Papia Poppaea.* Val. Max. III 4, 5 wrongly speaks of the *lex Papia* for the *lex Iunia.*

p. **13**, l. 20. Netscher (De M. Tullii or. pro Arch., Leyden 1807) starts the strange hypothesis that the prosecutor was the author of a poem on hunting, still preserved, and that the prosecution arose from poetical jealousy.

p. **17**, last line. Cf. esp. § 19 *cum omne olim studium atque omne ingenium contulerit Archias ad populi Romani gloriam laudemque celebrandam;* so too §§ 20, 21.

p. **18**, footnote. Cf. Quint. IV 1, 33 *praecipue si iudex aut sua vice aut rei publicae commovetur.*

p. **33**, n. on § 1, l. 1. *Si quid est in me:* so Dem. Cor. § 277 *εἰ δ' οὖν ἔστι καὶ παρ' ἐμοὶ ἐμπειρία τοιαύτη*: De Or. II 122 and III 33, Fam. VII 1, 5 and IX 18, 3, Livy III 40, 7, Quint. VI 2, 36. To the quotation from De Or. II 80 add De Or. I 143 *initio conciliandos eorum esse animos qui audirent*, Invent. I 20, Top. 97, Ad Herenn. 1, 6, Quint. IV 1, 5, *ib.* III 8, 6.

n. on § 1, l. 1. *Quod...exiguom:* M. Thomas in his admirable edition (Paris 1882) takes *quod* as nom., quoting Verr. V 15 and De Or. III 173, passages about which I have the same doubt as about this.

n. on § 1, l. 2. *Si quae:* observe the change in passing from *si quae exercitatio* to *si aliqua ratio*; the latter form is less hypothetical and more positive.

In qua...versatum: as to verses in prose see my n. on Cato m. § 2.

p. **34**, n. on § 1, l. 4. *Ratio:* cf. Wilkins, De Oratore I, Introd. p. 53, and to his quotations add Diog. Laert. V 18 *φύσις μάθησις ἄσκησις*; Plutarch de Ed. puer. p. 2 A *τρία δεῖ συνδραμεῖν, φύσιν καὶ λόγον καὶ ἔθος*: Cic. Div. in Caec. 35; Brut. 25; Quint. III 2, 1 and VII 10, 14, and XII 9, 20: Arch. 18, p. 28, l. 6.

n. on § 1, l. 6. *A. Licinius:* so also 9, l. 27, but *Archias* in 4, l. 20; 5, l. 8; 18, l. 28; 19, l. 23; 25, l. 15.

n. on § 1, l. 10. *Repetens:* Conington on Verg. Aen. III 184 wrongly confines *repetere=r. memoria* to poetry and late prose. For the general sense cf. Fam. XI 27, 2.

Principem ad: so Lael. 26; Verr. V 40; Fam. X 17, 2; but Sall. Hist. III 60 (ed. Dietsch) *principes intellegendi.*

p. **35**, § 1, l. 13. *A quo id accepimus:* the general drift is precisely the same in Sest. 3.

n. on § 2, l. 16. *Ac:* for the general structure of this sentence cf. De Or. I 8 and III 195.

n. on § 2, l. 21. *Vinculum:* this is from Plato, Epinomis 992 A; so in De Or. III 136; Verr. IV 81.

p. **36**, n. on § 3, l. 3. In ordinary criminal cases a praetor was present all through the case, in civil cases not.

§ 3, ll. 5—7. *Non modo...verum etiam:* it is not easy to see how the *consuetudo iudiciorum* differs from the *forensis sermo*, unless *iudiciorum* is confined to *criminal* trials, while *for. s.* is quite general. The whole sentence is awkwardly and carelessly written. In Sest. 119 (as Thomas remarks) Cic. begs pardon for speaking of poets in court.

n. on § 3, l. 12. *Patiamini:* cf. also Nep. Dat. X 1 *permitteret ut liceret*; id. Attic. IV 2 *noli velle*; Lucan VIII 537 *quod iam sibi tanta licere permittant famuli*; Quint. IX 3, 82 *obsit...quin prosit.*

§ 3, l. 13. *Liberius:* *μετὰ πλείονος παρρησίας*: *libertas=παρρησία* is very common in Tac.

§ 3, l. 14. *Otium ac studium:* so De Or. 1, 22; Sen. N. Q. IV pr. 1 *otio et litteris.*

§ 4, l. 19. *Si non esset:* dependent on *adsciscendum fuisse*, not on *putetis*; hence *esset* not *sit*. For the sense Thomas well compares Caec. § 102.

p. **37**, n. on § 4, l. 20. *Ut primum:* cf. Suet. Iul. 30 *simul ac primum: ubi pr.* is not uncommon.

Ex pueris: so *a parvis*, Ter. Andr. 539 and Plaut. Merc. 61; *a pueris parvolis*, Ter. Ad. 494.

§ 4, l. 21. *Ab eis* etc.: "after leaving those accomplishments".

n. on § 4, l. 21. *Ad humanitatem informari:* so exactly Pro Sulla 52; cf. also Sen. Ep. LXV 7 *humanitas ad quam homo fingitur*; Livy III 36, 1 *aliquem in suos mores formare*; Juvenal VII 237, with Mayor's n.

n. on § 4, l. 23. *Celebri:* the omission of *in* is strange; Richter inserts it after *quondam.*

p. **38**, n. on § 4, l. 28. *Ipsius adventus:* Thomas qu. Cic. ap. Macrob. Sat. VI 2, 33 *ut exspectatio cognitione, aures ab oculis vincerentur.*

n. on § 5, l. 29. *Italia:* though Italy, Magna Graecia, Latium and Rome are here mentioned, the inference introduced by *itaque* applies only to the first.

§ 5, p. 23, l. 3. *Celebritate famae:* so in Tusc. I 28.

l. 4. *Iam:* prob. *etiam* should be read.

n. on § 5, l. 8. *Praetextatus:* I find in Netscher's pamphlet, p. 34, a conjecture of Wyttenbach, *Marcus* for *Archias*, on which I had myself lighted many years ago and often considered. Some of the difficulties are thus overcome, but I doubt whether the birth of Lucius Lucullus can be put so far back as 118 B.C. For *praetextatus* used of a Greek Thomas qu. Verr. II 80.

n. on § 6, l. 13. *Eius Pio filio*; for the collocation cf. Fam. XIII 45, 1; Att. IV 17, 3 (ed. Boot); so Tusc. I 24 and 102; Vell. II 16, 3, where Halm qu. Sull. 5, Mil. 13, Ligar. 35; add Sen. Ep. VIII 7: Livy VI 18, 2 and 35, 1; VII 40, 7.

p. **40**, n. on § 6, l. 14. *Q. Catulo:* yet in this case, the *praenomen* of both being the same, Cic. could hardly have used the plural.

§ 6, l. 22. *Eodem Lucullo:* probably M. should be read before *Lucullo.*

n. on § 6, l. 23. *Foedere:* cf. my ed. of Pro Balbo, Introd. p. 17.

§ 7, l. 26. *Carbonis:* prob. *eis* (often written *is* in MSS) has dropt out after this; for *eis si qui* cf. my n. on Acad. 1, 4.

p. **41**, n. on § 7, l. 27. *Cum ferebatur:* the tense of *habuissent* should be noticed; the domicile must have been thoroughly acquired before the passing of the law.

p. **42**, n. on § 8, l. 32. *Nihil aliud nisi:* in the best writers this and like phrases are followed by a finite verb; in later writers we find

such things as in Suet. Claud. 10 *commilitones fluctuantes, nec quicquam adhuc quam frementes. Nihil aliud quam* is not Ciceronian.

§ 8, p. 24, l. 4. *Non interfuisse* etc.: cf. Fam. I 6, 1; I 8, 1; XIII 36, 1; Caes. B. C. I 26, 4 *illo auctore atque agente.*

§ 8, p. 24, l. 7. *Hic:* cf. Balb. 51; Sull. 67.

Tabulas: state records were called *tabulae*, never *tabellae*, which some MSS give here.

p. **44**, n. on § 9, l. 27. *A. Licini:* in state documents Archias would be denoted by these two names only; cf. Fam. XIII 36, 1.

p. **45**, n. on § 10, l. 5. *Eicietur:* MSS *reicietur*, but cf. § 22, l. 26 and De Or. III 11, Nep. Them. VIII 1.

§ 10, l. 31. *in Graecia:* to be taken with *homines;* cf. my n. on Lael. 20. Possibly the words are a corruption for *Graeci.*

§ 10, p. 25, l. 4. *Scriptus:* possibly Cic. wrote *ascriptus*, as in § 6, l. 23; § 8, ll. 1, 5.

n. on § 11, l. 7. *Apud exercitum:* yet we have *ap. ex. dicere* (Tusc. III 51) of an officer addressing the army; so Livy VI 11, 3; ib. VI 39, 11 *apud animos* for *in animis.*

§ 11, l. 12. *Ne ipsius...versatum:* C. F. W. Müller proposes, on very slight grounds, to strike out these words as a gloss.

n. on § 11, l. 15. *Beneficiis:* cf. also Fam. XIII 36, 1; Caes. B. C. I 75, 2; Plin. Ep. II 13, 2; Tac. Hist. IV 48; and for *referre ad* Fam. V 20, 3. *Deferre in aerarium* is often used of *senatus consulta.*

p. **46**, n. on § 12, l. 21. *Convicio:* plural also in Balb. 41 (see my n.); Qu. Fr. II 1, 1; Cluent. 39; Sest. 118; for the sing. cf. Qu. Fr. II 3, 2 *convicio et maledictis.* Caes. has the plur. twice, Horace twice, Phaedrus once, Ovid often; after which time it became common.

§ 12, l. 25. *Ego vero* etc.: Orat. § 146 is precisely similar.

p. **47**, n. on § 12, l. 27. *Litteris:* cf. Liv. V 51, 9 *celare terrae;* in later writers the abl. with *abdere* is common. The nearest parallel in Cic. is the constr. of *implicare*, as in Balb. 60 *familiaritatibus implicantur.* [M. E. Thomas takes *litteris* as dat.]

Nihil...neque: the constr., though usual, is not universal; cf. Nep. Alc. 1, 1 *nihil...vel...vel.*

§ 12, l. 29. *Vivo...ut abstraxerit:* the addition of *tot annos* makes *vivo* virtually a past tense; hence the sequence.

n. on § 13, l. 32. *Reprehendat...suscenseat...sumpsero:* note the form of the conditional sentence.

n. on § 13, l. 2. *Requiem:* Cic. also has *requietem.*

§ 13, p. 26, l. 3. *Temporum:* for a similar wide separation of genitives from the words on which they depend cf. De Or. I 3 and 16; ib. III 90; Liv. II 16, 2.

p. **48**, n. on § 13, l. 4. *Quantum* etc.: *alveolus* is "a water-pot" in Phaedr. II 5, 15; cf. also Cic. Fin. V 56; Gell. I 20; Juvenal VII 73 and V 88 (Mayor's n.). It is generally, but wrongly, taken to mean a *dice-board* (so I took it in ed. 1).

n. on § 13, l. 9. *Illa:* cf. Lael. 83 *ea quae summa sunt.*

n. on § 14, l. 11. *Suasissem:* cf. also Ter. Hec. 481; Verg. Aen. XII 813; Phaedr. I 17, 6.

p. **49**, n. on § 14, l. 15. *In dimicationes:* so Sest. 61; Tusc. I 32 *offerre ad:* Verg. G. II 332 *credere in;* Ovid, Fast. IV 312 *credula in;* Tac. Ann. II 11 *dare in;* Sen. Ben. VII 8, 2 *obstare in;* Quint. X 2, 6 *tradere in* and *studere in.*

n. on § 14, l. 17. *Pleni libri:* so Sen. Ep. XXXIII 2 *eius modi vocibus referta sunt carmina, refertae historiae;* Fam. IX 16, 6; Tusc. I 11; Quint. V 4, 1 and 11, 39.

§ 14, p. 26, l. 19. *Litterarum lumen:* so Tusc. I 5; Quint. XI 2, 7 *lumen orandi.*

n. on § 14, l. 19. *Accederet:* a strong argument against *accenderet* is that the verb does not occur in Cicero's speeches, except once in the participle (In Pis. 5). Val. Max. VIII 14, 1 (the whole passage is imitated from the *Pro Archia*) has "*si litterarum illis lumen accessisset*"; cf. also V 4, ext. 5; Quint. XII 8, 5.

p. **50**, n. on § 15, l. 26. *Quaeret quispiam:* cf. Roby, Gram. II, Introd. p. cii.

n. on § 15, l. 27. *Litteris:* see my n. on Lael. 39.

§ 15, p. 26, l. 30. *Ego multos* etc.: so Lael. 7 and 19; Rep. III 5; Hor. A. P. 408 sq.; Sen. Ep. LII 3 *quosdam ait Epicurus ad veritatem sine ullius adiutorio exisse; fecisse sibi ipsos viam; hos maxime laudat, quibus ex se impetus fuit, qui se ipsi protulerunt.*

n. on § 15, l. 1. *Idem ego:* cf. also n. on § 8, l. 14 and De Or. II 153.

§ 15, p. 27, l. 2. *Cum ad* etc.: cf. De Or. I 79; Quint. XII 6, 4.

n. on § 16, l. 5. *Hunc:* so Cato m. 14 and 50; N. D. I, 79 and II 6; Off. III 66.

p. **51**, n. on § 16, l. 7. *Fortissimum:* for *vir...homo* cf. Ter. Hec. 524; Tusc. II 53; Fam. II 14, 1; ib. II 18, 2; ib. XIII 7, 5; Sen. dial. XI 17, 2; so sometimes in Greek ἀνήρ...ἄνθρωπος.

§ 16, l. 8. *Et illis:* prob. *ut* has fallen out after *et:* "and, *for those times*, most learned".

n. on § 16, l. 16. *Alunt: alere* and *acuere* of the mind are about equally common; cf. for *alere* Brut. 32 and 126 (in the latter passage both occur); De Or. II 123 and III 48; Vell. I 18, 6; Sen. Ep. 84, 1 and 6; ib. 88, 19; ib. 94, 30; ib. 102, 16; Quint. passim. For *acuere* see Tusc. I 80; De Or. III 93; Rep. I 30; Div. I 79; Plin. Ep. II 7, 5; Val. M. II 9, 9 and II 2, 3; Phaedr. App. I 20, 7; Quint. often. The word *oblectant* is rather in favour of *alunt.*

§ 16, p. 27, l. 16. *Secundas* etc.: for the sentiment cf. Fam. VI 12, 5; Lael. 17; Rep. I 14; Fam. V 13, 5; Quint. VI prol. 14.

p. 52, n. on § 17, l. 25. *Ergo ille* etc.: this form of argument is really the *enthymeme* of the rhetoricians: cf. Top. 55 and Cope, Introd. to Arist. Rhet. p. 104.

p. 53, n. on § 18, l. 32. *Agerentur:* for (2) see Roby § 1776. Mr Roby (in a letter to me) decisively rejects (3), which however is the explanation given by C. F. W. Müller, and says "I do not think it is properly 'carelessness' on Cicero's part. A reported statement, whether my own or another's, is in the infinitive and the dependent finite clauses are in the subjunctive." True; but Cic. is not here reporting any past *statement* or even any past *thought* of his own.

p. 54, n. on § 18, l. 7. *Constare:* Draeger copies Madv. Fin. IV 19, who does not refer to our passage.

Mentis viribus: a touch of "fine frenzy" was held necessary for the poet: cf. Plat. Phaed. 245 A; Cic. Div. I 80; Tusc. I 64; Sen. dial. IX 17, 10; Quint. XII 10, 24.

§ 18, p. 28, l. 9. *Ennius:* the verses are not preserved.

p. 55, n. on § 19, l. 16. *Suum vindicant:* I have not been able to find any very close parallel in Cic.; cf. however Hor. Ep. I 7, 37 *saepe verecundum laudasti* (*=me ut v.*); Tac. An. I 3 *filius assumitur* (*=pro filio*); Verg. G. 1, 31; Aen. IV 677; Livy III 55 *sacrum sanciri* (*=pro sacro*); ib. VI 7, 5; Val. M. IX 15, 1; Cic. Off. III 58 has *uti ut suis;* Ter. Andr. 14 *usum pro suis.*

n. on § 19, l. 25. *C. Mario:* in later life he paid some attention to Greek; Val. M. II 2, 3.

p. 56, n. on § 20, l. 29. *Dixisse aiunt:* Stuerenburg withdrew his *dictum* in his ed. of 1839; it is contradicted by Fam. IX 16, 5; III 7, 5; XI 20, 1; Plaut. Bacch. 802; Ter. Haut. 860; Liv. IV 48, 6; Sen. dial. X 6, 1.

n. on § 20, l. 30. *Acroama:* cf. Petron. § 53 *petauristarios et cornicines, reliqua acroamata.*

§ 21, l. 13. *Incredibilis pugna:* so Marc. 28.

p. 58, n. on § 22, l. 17. *Sepulchro:* some of the ancients believed that Scipio was buried at Liternum; see Sen. Ep. 86, 1; and as to Ennius cf. Val. M. VIII 14, 1.

n. on § 22, l. 25. *Civitatibus:* cf. § 31, l. 16 *ingeniis expetitum.*

p. 59, n. on § 22, l. 26. *De:* Livy has twice *de senatu eicere;* for the use of *de* after verbs compounded with *ex* cf. Madv. Fin. III 60.

§ 24, l. 7. *Et vere* etc.: Seneca moralises to the same purpose, Ep. 21 §§ 4—6; so too Lucan IX 962

> et Simoentis aquas et Graeco nobile busto
> Rhoetion et multum debentes vatibus umbras.

p. 60, n. on § 24, l. 9. *Noster hic Magnus:* Pompey was fond of comparing himself with Alexander; see Sall. Hist. III 7 (Dietsch).

n. on § 24, l. 11. Val. M. VIII 14, 3 copies the story of Theophanes. During the Social War a *lex Calpurnia de civitate sociis danda* granted large powers of conferring the franchise to commanders, and such laws were probably often passed.

§ 25, l. 16. *Non potuit:* but *si...esset;* the indicative of *posse* is often put thus in conditional sentences.

n. on § 25, l. 19. *De populo:* Brut. 320 *non quivis unus ex populo;* so often *unus multorum, unus e turba, homo de plebe etc.*

Quod...fecisset: Mr C. W. Moule suggests that *libellum*="petition", so that *quod...fecisset* gives the reasons on which it was based. This sense is admirable, but I doubt this technical sense of *libellus* so early. [M. E. Thomas qu. one from the Bell. Alex. LII 2.]

p. 61, n. on § 25, l. 22. *Ea condicione:* in later Lat. *ea cond.* and *sub ea c.* are about equally common; *e.g.* each form occurs five times in Suetonius. *Sub* was, in Livy and later, attached to other ablatives which earlier did not take it, as *sub arbitrio, sub specie, sub eo nomine, sub certa lege;* also *sub* took the place of other prepositions, as in *sub persona alicuius* for *ex p. a.*

§ 25, p. 30, l. 22. *qui...duxerit:* Roby § 1714.

p. 62, n. on § 26, l. 28. *Pingue* etc.: often quoted later, as by Sen. Suas. VI 27. Possibly in *pingue* there is a hint at the fame of Corduba as an oil-producing region, for which see Martial XII 63 (a poem on a poet of Corduba).

§ 26, l. 29. *Auris* etc.: cf. Att. I 5, 4.

n. on § 26, l. 32. *Gloria:* so Lael. 34; Tusc. II 46; Off. I 18; Val. M. VIII 14, 6.

n. on § 26, l. 33. *Illi* etc.: copied by Val. M. VIII 14; cf. Liv. XXII 39, 19 *gloriam qui spreverit, veram habebit;* Sen. Ben. V 1, 4 *gloria fugientis magis sequitur.*

n. on § 27, l. 5. *Templorum* etc.: the inscriptions relating to this temple are well known; cf. too Vell. II 5, 1.

p. 63, n. on § 28, l. 11. *Me ind.:* Brut. 192 *ut me tibi indicem.*

§ 28, l. 16. *Incohavit:* used of an unfinished poem in Catull. 36, 13. There may be a reference to Archias in the well-known passage of Sest. 123 *neque poetae, quorum ingenia semper dilexi, tempori meo defuerunt.* Cf. Ellis on Catull. 49.

n. on § 28, l. 18. *Nulla virtus:* cf. Sen. Ben. III 36, 1 *natura enim gloriosa virtus est, et anteire priores cupit.*

n. on § 28, l. 22. *In laboribus:* for the *in* cf. Tusc. V 3; Caes. B. C. I 57, 4; Plin. Ep. II 9, 4; Cic. Rep. VI 29; Verg. Aen. VI 642; also *experiri aliquam rem in aliqua re* in Liv. I 36, 4 and Suet. Ner. 33. Of course if the noun is personal, *in* is *necessary*, so in Nep. Dion. VI 2 *in filio vim exercuit;* Sen. Ep. 49, 7. Livy omits *in* after *exercere* even with gerundives.

p. 64, n. on § 29, l. 23. *Regionibus:* cf. Tusc. I 32 *isdemne ut fini-*

bus nomen suum, quibus vita terminaretur; Rab. Perd. 29; XIV Phil. 32.

n. on § 29, l. 24. *Circumscriptum:* cf. De Or. II 67 *circumscripta modicis regionibus.*

§ 29, l. 27. *Noctes ac dies:* see my note on Cato m. § 1.

p. **65**, n. on § 31, l. 15. *Vetustate:* so Qu. Cic. de pet. cons. 16.

n. on § 31, l. 25. *Ex eo numero qui:* Madv. Fin. III 70; Draeger, Hist. Synt. § 100.

n. on § 32, l. 30. *A mea:* Richter adopts Koch's suggestion *a forensi sermone aliena.* For the context cf. Balb. 59; Val. M. VIII 3, 2.

p. **68**, n. on § 1. *Vel in primis:* I can only add one ex. of *vel in primis*, viz. Plin. Paneg. 47. A list of ἅπαξ εἰρημένα or words only used once in Cic. would be very useful. Ellendt gives some on De Or. II 94, to which I add *celeripes coeptus compressu confisio conflictari* (*cum aliquo*) *dinotatus elucubrari* (dep.) *exitiabilis exitialis herbescens impetrationes impugnatio inimicitia memoriola miratio noctuabundus praebibere* (transitive) *praemolestia saturitas tagax.*

Prope suo iure: the statement in the n. is incorrect; cf. N. D. I 77 *quasi vestro iure;* De Or. I 41 *quasi tuo iure;* Fam. XIII 50 *quasi pro meo iure;* Fin. V 4 *fortasse suo iure.* Possibly, however, *prope* is a corruption of *pro*, for which cf. Fam. XIII 50; De Or. II 294; Verr. V 2; Flac. 95, Caec. 85, Plaut. Cas. II 6, 19; Ter. Ad. 52; Val. M. I 8, 2, VII 8, 9. For *prope* cf. § 3, l. 15; § 15, l. 31; § 27, l. 8; for the context Val. M. V 3, 3.

n. on *Inde usque:* cf. Quint. I 5, 21 *inde durat ad nos usque....*

p. **69**, n. on § 9. *Tabularum fidem:* cf. Prop. IV 23, 4 *et non signatas* (*tabellas*) *iussit habere fidem.*

n. on § 11. *Revincetur:* see my n. on Sull. § 1.

n. on § 18. *Inflari:* possibly a corruption of *inflammari;* cf. De Or. II. 194 where *inflammatio* is used of poetic inspiration. [M. E. Thomas thinks the poet is compared to a flute, awakened to song by the divine breath.]

p. **71**, *e.* n. on *Res publica:* cf. Fam. I 9, 12; XVI 4, 3.

2 *a*, n. on Genitives: even Velleius prob. used -*ī*; see Halm on I 9, 5.

p. **75**, l. 2. An excellent description of G is given by M. E. Thomas in his edition (Paris 1882).

p. **78**, n. on § 3. *Rectissimum:* so the Schol. Bobiensis; *rectus* seems necessary, the drift being that although the judge is *upright* and the jury are stern Romans, they are nevertheless *humanissimi* (§ 19, l. 11). *Rectior* for *tectior* should be read in Deiot. 16.

n. on § 4. *Condidicit:* for the word cf. Plaut. Curc. 161; Suet. Ner. 20; Sen. Rh. Contr. I 3, 12.

n. on § 5. *Sed etiam* etc.: Van Heusde proposed *haec...virtutis vis*

fuit for *hoc virtutis...ut. Prima patuit*, often proposed, is less likely on diplomatic grounds than my correction, though good in itself; see Brut. 32; Fam. XIII 17, 1. For *virtutis est* cf. Val. M. I 5, 2. [M. E. Thomas proposes *prima adfuerat*, keeping the MSS readings in other respects.]

n. on § 9. *Nulla in litura nomen:* possibly we should read *nullam lituram nominis*, as above. [M. E. Thomas proposes *nullam lituram, nomen.*]

n. on § 11. *Eis temporibus quem:* Koch *eis t. quibus eum;* C. F. W. Müller wishes to insert *is* before *quem.*

p. **73**, n. on § 15. *Est certum quid: quod* (which M. E. Thomas keeps) may be right, with the sense "there is a definite answer for me to make". *Certum* is often substantival; for *quod* see Wopkens, Lect. Tull. 179 ed. Hand; Wesenberg Em. Cic. Ep. 51 sq.; Kühner on Tusc. IV 35; and cf. the phrase *habeo quod liqueat* (never *quid*). For *quid* cf. Verr. V 56 *habeo rationem quid acceperim;* Div. I 9; Livy III 50, 16; Quint. IV 1, 51; VII 3, 12.

n. on § 28. *Adhortatus sum:* for the active form see Neue, Form. II² 290; in Sen. Rh. Suas. V 8 the MSS give *hortavit.*

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